

COUNTY OF COOK            )  
                                      )  
STATE OF ILLINOIS        )

**UNDER SEAL**

SS

**AFFIDAVIT**

Richard Maher, being duly sworn, deposes and states as follows:

1.       I am a Task Force Officer with the United States Department of Justice, Drug Enforcement Administration (DEA), and have been so employed most recently since January 2005, and previously for approximately 2 years. In connection with my official DEA duties, I investigate criminal violations of the federal narcotics laws, including but not limited to, Title 21, United States Code, and Sections 841, 843, 846 and 848. I have also been involved in various types of electronic surveillance, and in the debriefing of defendants, witnesses, informants, and others who have knowledge of narcotics trafficking, and of the laundering and concealing of proceeds of drug trafficking. My current assignment involves investigations of narcotics distribution by street gangs within the Chicago area. I have also been employed with the Chicago Police Department as a police officer for approximately 18 years.

2.       I am familiar with and have participated in all of the normal methods of investigation including but not limited to, visual surveillance, the general questioning of witnesses, the use of informants, the use of pen registers and undercover operations. Based on my training and experience, I am familiar with the ways in which drug dealers and gang members conduct their drug-related business, including, but not limited to their methods of distributing narcotics; use of telephone communication devices; use of numerical codes and code words to identify themselves, the nature of the communication, and to conduct their drug-related business; and common practices of registering and obtaining these communication devices under false names, or names of relatives and/or friends to avoid financial responsibilities and tracking of criminal activities by law enforcement entities.

3.       This Affidavit is made for the limited purpose of establishing probable cause submitted in support of the Criminal Complaint alleging a violation of Title 21, United States Code, Section 846 (conspiracy to distribute and possess with intent to distribute controlled substances,

namely, powder cocaine, cocaine base in the form of crack cocaine, heroin, and marijuana, and Title 18, United States Code, Section 2. Because this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint and the issuance of arrest warrants against the proposed defendants, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit.

The following are the individuals charged in this Criminal Complaint:

1. **RAY LONGSTREET, aka "Ray Ray," "Strawberry"**
2. **ANTONIO JOHNSON, aka "Psycho" "Scho"**
3. **ANTHONY SUTTON, aka "Antamaine," "Ant"**
4. **MICHAEL ERVIN, aka "Icey," "Brown Eyes," "Ice Mike"**
5. **KENNETH WALLACE, aka "Twin," "Scarface"**
6. **TEMEKA JACKSON**
7. **SADIE WILLIS**
8. **ABOSEDE ANIBABA, aka "Nikki"**
9. **PAUL PATTERSON, aka "Gangster Paul"**
10. **TREMAINE GRAY, aka "Jamo"**
11. **MARK BYNDOM**
12. **KARL TERRY, aka "Bootsy"**
13. **CHARLES THORNTON, aka "Lil Charles"**
14. **JOHNNY MCBEE**
15. **AARON CLAYTON, aka "E"**
16. **MARSHALL SUTTON, aka "Chub"**
17. **MATTIE YELVINGTON**
18. **ANDRE KINCAID, aka "Studio"**
19. **ANSELMO ZEPEDA, aka "Sam"**
20. **GUMERCINDO OROZCO, aka "Jess"**

21. **EDGARDO BARRERA, aka "Eddie"**
22. **JOSEPH HICKEY, aka "Joe"**
23. **ALFREDO MANZANARES, aka "Shorty"**
24. **JAQUES RICE**
25. **RON ALLEN, aka "Ronnie," "Little Ron"**
26. **ANTHONY HARDMON, aka "Mouse"**
27. **JONATHAN BROWN**
28. **MICHAEL PINKNEY, aka "Lil Mike"**
29. **WILLIE SMITH, aka "Smokey"**
30. **JYWANZO LOYD**
31. **SHAMON GRIFFIN**
32. **BRYANT NEWELL**
33. **MARLOW WATTS**
34. **STEVEN RUCKER**

4. Since approximately July 2004, law enforcement has been investigating the Four Corner Hustlers street gang on the west side of Chicago and its drug-trafficking operations. Agents of the DEA and Internal Revenue Service (IRS), and officers of the Chicago Police Department (CPD) Narcotics and Gang Investigation Section, have participated in this investigation. The west side Four Corner Hustlers operate in areas including but not limited to the 11th, 15th, and 25th Chicago Police Districts. I have participated in this investigation. The statements contained in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided by agents of the DEA, officers of the CPD, agents of the IRS, intelligence analysts of the DEA, CPD, and IRS, and other law enforcement agents; (c) information provided by cooperating sources; (d) analysis of pen register and trap and trace data; (e) review of conversations recorded pursuant to court authorization; and (f) the training and experience of myself and other law enforcement agents. I have also reviewed the following, among other things: laboratory analysis reports; intelligence

reports of telephone record, pen register, and trap and trace analyses; and criminal history records maintained by the Chicago Police Department, Illinois State Police, and the National Crime Information Center. As a result of my personal participation in this investigation, I am familiar with this investigation. On the basis of this familiarity, as well as my training, experience, the experience of other law enforcement officers, and on the basis of other information that I have reviewed and determined to be reliable, I allege the following.<sup>1</sup>

## **I. Overview of the Investigation**

### **A. The Four Corner Hustlers**

5. Based on this investigation and my experience, and the experience of other law enforcement agents who specialize in gang investigations, I know the following. The Four Corner Hustlers is a street gang that is a faction of the Vice Lord Nation. The Vice Lords Nation is an association of street gangs that control drug trafficking and engage in related criminal activity in parts of Chicago, nearby suburbs, elsewhere in Illinois, and in approximately 27 other states. During the 1990s, the Vice Lords Nation grew to over 30,000 members.

6. The Four Corner Hustlers gang is predominantly located on Chicago's west side with pockets of membership on the south side, and in some western and southern suburbs. Each group of the Four Corner Hustlers is controlled by a "Chief." RAY LONGSTREET is the recognized leader of the Four Corner Hustlers on the west side.

7. The Four Corner Hustlers have been linked historically to the distribution of large amounts of cocaine, cocaine base (crack cocaine), and heroin in the Chicago area. The Four Corner Hustlers control numerous drug "spots," that is, street corners or buildings at which narcotics are sold. A number of defendants in this Affidavit operated drug spots on the west side of Chicago in the area controlled by LONGSTREET, specifically the thirty-six block area bordered by Pulaski on

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<sup>1</sup>Quoted material used hereafter consists of statements taken from agent and officer reports, wiretap linesheets or draft transcripts of intercepted calls.

the west, Ridgeway on the east, Chicago Avenue on the south and Division Avenue on the north.<sup>2</sup> This is a lucrative drug distribution territory due to the heavy traffic of drug customers. Workers at the drug spots typically solicit customers by calling out “rocks, blows” (street terminology for crack cocaine and heroin respectively). Customers purchase user amounts of crack cocaine or heroin (often in one-tenth gram amounts for \$10, called “dime bags”) from workers at the drug spots. The “dime bags” are small plastic bags or tinfoil wrappers that contain the drugs and are packaged from larger quantities of drugs obtained by the drug spot owners. Generally, certain workers are responsible for holding and distributing the narcotics and others are responsible for collecting the money. Narcotics are brought to the drug spots periodically and often stored in locations nearby. The drug spots within LONGSTREET’s area taken together sell as much as \$50,000 of drugs per day.

8. Violence is an integral part of maintaining drug trafficking territory. During the time period of the wiretaps in this case (less than three months), investigators intercepted calls discussing two separate shooting incidents that took place in territory controlled by LONGSTREET. Intercepted calls demonstrate the importance LONGSTREET places on maintaining a cache of guns for protection and arming Four Corner Hustler members with firearms in areas where drug sales were taking place, in order to safeguard against the drug spot workers being robbed. The calls also demonstrate LONGSTREET using ANTHONY SUTTON, one of his closest associates, to supply him with guns at times.

#### **B. RAY LONGSTREET and His Drug-Trafficking Operation**

9. The leader of the west side Four Corner Hustlers, LONGSTREET, has status and power that allows him to control drug territory on the west side. Other drug dealers fear LONGSTREET and therefore do not operate drug spots in LONGSTREET’s territory without his permission. During the course of the investigation, LONGSTREET personally oversaw drug spots in his area – one at Division and Keeler and most recently at Hamlin and Iowa – and supplies heroin

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<sup>2</sup>Within that area there are a few pockets of territory that do not belong to LONGSTREET.

to his workers at this spot.

10. A number of Four Corner Hustlers sell drugs in LONGSTREET's territory. Several members of the Four Corner Hustlers worked directly for LONGSTREET. For example, KENNETH WALLACE worked in the day-to-day operations of the Division and Keeler spot. Additionally, MICHAEL ERVIN acted as security for LONGSTREET's spot, providing protection for narcotics and narcotics proceeds. ANTHONY SUTTON, also a ranking member of the Four Corner Hustlers, operated a spot at Hamlin and Iowa in LONGSTREET's territory, during the majority of this investigation. (SUTTON recently moved his spot from Hamlin and Iowa to Avers and Iowa and also to Pulaski and Iowa - when LONGSTREET moved to Hamlin and Iowa.) Some of the individuals who reported directly to LONGSTREET, including WALLACE and ERVIN, also assisted SUTTON on his drug spot. SUTTON employed other Four Corner Hustler members to assist him including AARON CLAYTON who was the manager for SUTTON's spot and MARSHALL SUTTON who worked for SUTTON on the spot. Other Four Corner Hustlers assisted ANTHONY SUTTON in other ways including KARL TERRY, who assisted SUTTON in packaging and preparing narcotics for his operation, and CHARLES THORNTON, who was a partner in SUTTON's operation. SUTTON also sold cocaine to a number of wholesale customers (for further distribution to their own customers) who are members of the Four Corner Hustlers, including RON ALLEN, ANTHONY HARDMON, JONATHAN BROWN, and MICHAEL PINKNEY.

11. LONGSTREET also permitted at least one other high-ranking member of another street gang to sell in his territory. ANTONIO JOHNSON, who is a ranking member of the New Breeds street gang,<sup>3</sup> controlled drug spots on Lawndale Street in the vicinity of Thomas Street. (JOHNSON also has a large, multistate heroin distribution business.) JOHNSON in turn provided

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<sup>3</sup>The New Breeds is a street gang that originated in the late 1980s and early 1990s initially as a splinter group from the Black Gangsters (one of the three factions of the original Black Gangster Disciples, the other two being the Gangster Disciples and the Black Disciples). The New Breeds ultimately absorbed the Black Gangsters back into the gang operating under the new name "New Breeds." The New Breeds are primarily located on the west side of Chicago. The main source of income for the New Breeds is the sale of crack cocaine and white heroin.

LONGSTREET with narcotics on credit (*i.e.*, “fronted” him the narcotics for later payment). TREMAINE GRAY, also a member of the New Breeds, acted as JOHNSON’s right hand man running JOHNSON’s west side operation and was the point person providing JOHNSON’s narcotics to LONGSTREET.

12. Information obtained during the course of this investigation established that LONGSTREET and JOHNSON were engaged in the distribution of heroin and SUTTON was engaged in the distribution of heroin, crack cocaine, powder cocaine, and marijuana. Typical quantities of cocaine sold or received by wholesale drug dealers are kilograms, half kilograms, quarter kilograms (250 grams, or 9 ounces), one eighth kilograms (125 grams, or 4 ½ ounces), and one sixteenth kilograms (63 grams, or 2 ¼ ounces). Wholesale quantities of heroin are often sold in 100 gram increments. Wholesale quantities of marijuana are often sold by the pound.

**C. Roles of the Defendants**

13. The following is a summary of the roles played by the charged individuals, as well as citations to the paragraphs in the Affidavit that refer to the particular individual:

**(1) Conspiracy Leaders**

a. RAY LONGSTREET (aka Ray Ray, Strawberry) is the leader of the Four Corner Hustlers on the west side of Chicago.

b. ANTONIO JOHNSON (aka Psycho, Scho), a ranking member of the New Breeds street gang, operated a drug spot in LONGSTREET’s territory at Lawndale and Thomas. In addition, JOHNSON supplies heroin to customers throughout the Midwest, including LONGSTREET.

c. ANTHONY SUTTON (aka Antamaine, Ant), a ranking member of the Four Corner Hustlers, operated a drug spot in LONGSTREET’s territory near the intersection of Hamlin and Iowa (later moving it from Hamlin and Iowa to Avers and Iowa and to Pulaski and Iowa). SUTTON supplied crack cocaine to workers at that spot. SUTTON controlled who worked on the spot, how much they earned, and how much they were allowed to sell.

**(2) RAY LONGSTREET's Drug Workers**

a. MICHAEL ERVIN (aka Icey, Brown Eyes, Ice Mike), a member of the Four Corner Hustlers, is an enforcer for LONGSTREET. ERVIN also worked on the drug spot near Hamlin and Iowa for SUTTON.

b. KENNETH WALLACE (aka Twin, Scarface), a member of the Four Corner Hustlers, works for LONGSTREET on his drug spot at Division and Keeler and has also worked for SUTTON at Hamlin and Iowa.

c. TEMEKA JACKSON is affiliated with the Four Corner Hustlers and manages LONGSTREET's drug spot at Division and Keeler.

**(3) RAY LONGSTREET's Drug Suppliers**

a. SADIE WILLIS assists LONGSTREET in obtaining heroin from wholesale suppliers.

b. ABOSEDE ANIBABA (aka Nikki) is a supplier of heroin to LONGSTREET.

c. PAUL PATTERSON (aka Gangster Paul), a member of the Black Souls street gang, is a supplier of heroin and guns to LONGSTREET.<sup>4</sup>

**(4) ANTONIO JOHNSON's Drug Workers**

a. TREMAINE GRAY (aka Jamo), a member of the New Breeds, is in charge of ANTONIO JOHNSON's west side narcotics operation.

b. MARK BYNDOM, a member of the New Breeds, works in JOHNSON's west side narcotics operation for GRAY packaging narcotics.

**(5) ANTHONY SUTTON's Drug Partners and Workers**

a. KARL TERRY (aka Bootsy), a member of the Four Corner Hustlers, works with SUTTON in the preparation of drugs for street sales. TERRY also purchases cocaine from SUTTON.

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<sup>4</sup>The Black Souls street gang originated in the late 1960's on the west side of Chicago.



b. CHARLES THORNTON (aka Lil Charles), a ranking member of the Four Corner Hustlers, works with SUTTON in the distribution of narcotics. THORNTON also purchases cocaine from SUTTON.

c. JOHNNY MCBEE, a member of the Four Corner Hustlers, is a partner in SUTTON's narcotics business. MCBEE also purchases cocaine from SUTTON.

d. AARON CLAYTON (aka E), a member of the Four Corner Hustlers, is the manager of SUTTON's drug spot at Hamlin and Iowa.

e. MARSHALL SUTTON (aka Chub), a member of the Four Corner Hustlers, works for SUTTON on his drug spot at Hamlin and Iowa.<sup>5</sup>

f. MATTIE YELVINGTON works for SUTTON on the drug spot at Hamlin and Iowa.

**(6) SUTTON's Adjacent Drug-Spot Operator**

a.. ANDRE KINCAID (aka Studio), a member of the Four Corner Hustlers, operates a drug spot in LONGSTREET's territory that is near Harding and Iowa. His drug spot is close in proximity to SUTTON's recent drug-spot location on Pulaski and Iowa, and KINCAID appears to purchase cocaine from SUTTON.

**(7) SUTTON's Drug Suppliers**

a. ANSELMO ZEPEDA (aka Sam) is a supplier of kilogram quantities of cocaine to SUTTON.

b. GUMERCINDO OROZCO (aka Jess) is a supplier of kilogram quantities of cocaine to SUTTON who works with ZEPEDA.

c. EDGARDO BARRERA is a supplier of kilogram quantities of cocaine to SUTTON.

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<sup>5</sup>For purposes of distinguishing MARSHALL SUTTON from ANTHONY SUTTON, MARSHALL SUTTON will be referred to by his full name "MARSHALL SUTTON" and ANTHONY SUTTON will be referred to as "SUTTON."

d. JOSEPH HICKEY, a member of the Two Sixers street gang, works with BARRERA in supplying kilogram quantities of cocaine to SUTTON.<sup>6</sup>

e. ALFREDO MANZANARES (aka Shorty) is a supplier of cocaine to SUTTON.

**(8) SUTTON's Wholesale Drug Customers**

a. JACQUES RICE purchases cocaine from SUTTON for redistribution. RICE is also a supplier of heroin to SUTTON.

b. RON ALLEN (aka Ronnie, Little Ron), a member of the Four Corner Hustler street gang, purchases cocaine from SUTTON for redistribution.

c. ANTHONY HARDMON (aka Mouse), a ranking member of the Four Corner Hustlers, purchases cocaine from SUTTON for redistribution.

d. JONATHAN BROWN, a member of the Four Corner Hustlers, purchases cocaine and marijuana from SUTTON for redistribution.

e. MICHAEL PINKNEY (aka Lil Mike), a member of the Four Corner Hustlers, assists SUTTON in the purchase of vehicles SUTTON uses to transport drugs and drug proceeds. PINKNEY also purchases cocaine from SUTTON for redistribution.

f. WILLIE SMITH (aka Smokey) purchases cocaine from SUTTON for redistribution.

g. JYWANZO LOYD purchases crack cocaine from SUTTON for distribution in the Milwaukee, Wisconsin area. LOYD and/or an associate of his drives to the Chicago area in order to deliver money and pick up drugs from ANTHONY SUTTON.

h. SHAMON GRIFFIN works for JYWANZO LOYD as a courier traveling from Milwaukee, Wisconsin to Chicago to transport money from LOYD to SUTTON and pick up crack cocaine from SUTTON to deliver to LOYD.

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<sup>6</sup>The Gangster Two Six Nation ("Two Sixers") is a street gang that originated approximately 30 years ago in the Little Village community along 26<sup>th</sup> Street in Chicago.

i BRYANT NEWELL purchases cocaine from SUTTON for redistribution.

j MARLOW WATTS, a member of the Vice Lords street gang, purchases cocaine from SUTTON for redistribution.

k. STEVEN RUCKER, a member of the Vice Lords street gang, RUCKER purchases cocaine and heroin from SUTTON for redistribution.

#### **D. Chronology**

14. The investigation employed Title III wiretap interceptions, confidential sources, surveillance, and undercover purchases of controlled substances, among other investigative techniques. A synopsis of some of the significant events and evidence obtained during this investigation is as follows.

15. On March 8, 2005, investigators obtained authorization to intercept conversations on a cellular phone used by SUTTON ((773) 655-14176, ESN 2D46155F - Target Phone 1). Interception of calls on Target Phone 1 continued through May 6, 2005. During that wiretap, investigators identified a number of SUTTON's workers, suppliers, and customers.

16. During the course of the wiretap on Target Phone 1, investigators made three seizures of narcotics based upon intercepted calls.

- On March 31, 2005, investigators seized thirty kilograms of cocaine and approximately \$19,000 from SUTTON's supplier OROZCO, who was at the time on his way to deliver six kilograms of cocaine to SUTTON. OROZCO had eleven kilograms of cocaine with him when he was stopped in his vehicle, six of which were contained in a backpack labeled "A. Sutton." An additional nineteen kilograms and approximately \$19,000 were found in a residence used by OROZCO.
- On April 20, 2005, investigators seized 750 grams of crack cocaine from GRIFFIN who had just met with SUTTON and picked up the crack cocaine, which she was bringing to LOYD.
- On April 28, 2005, investigators seized three kilograms of cocaine from BARRERA

and HICKEY who were heading to meet with SUTTON to complete the prearranged drug deal.

17. LONGSTREET was one of the individuals intercepted in conversations with SUTTON on Target Phone 1. On April 15, 2005, investigators obtained authorization to intercept calls on a cellular telephone used by LONGSTREET ((773) 213-9894, ESN 08207394632 -Target Phone 2). Interception of conversations on that phone continued to the present date. During that wiretap, investigators identified certain of LONGSTREET's workers and suppliers. During the course of the wiretap on Target Phone 2, investigators seized money from a narcotics transaction.

- On April 27, 2005, investigators seized what is money in an amount that is believed to be approximately \$8500 from ANIBABA, who had just completed a 100 gram heroin deal with LONGSTREET, as brokered by WILLIS.

18. During the wiretap on LONGSTREET's phone, investigators intercepted many calls between LONGSTREET and ANTONIO JOHNSON in which they discussed drug-trafficking operations. Prior to the wiretaps, police officers seized heroin from JOHNSON's workers.

- On February 15, 2005, law enforcement officers recovered more than 400 grams of heroin from TREMAINE GRAY and MARK BYNDOM after they left an apartment building apparently used by JOHNSON's operation as a stash house.

19. On May 6, 2005, investigators began intercepting calls on a second phone used by SUTTON ((773) 559-5600, ESN 2D71F9FD - Target Phone 3). Interception of calls on that phone continues to the present.<sup>7</sup>

20. During the course of this investigation, officers have also conducted surveillance and

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<sup>7</sup>On April 15, 2005, investigators observed a decrease in outgoing call activity on Target Phone 1. Investigators learned through intercepted calls that SUTTON began having technical problems with Target Phone 1 due to the fact that he dropped it in the water and had purchased a new phone (Target Phone 3). Investigators also learned through the service provider that SUTTON was forwarding calls from Target Phone 1 to Target Phone 3. Accordingly, investigators continued to intercept incoming calls to Target Phone 1 but until May 6, 2005, (when investigators having obtained authorization began intercepting calls on Target Phone 3) were not intercepting outgoing calls (which SUTTON began making over Target Phone 3) or incoming calls to Target Phone 3.

made undercover narcotics purchases from drug spots in the area controlled by LONGSTREET, including: (1) the drug spot operated by SUTTON at Hamlin and Iowa, Avers and Iowa, and Pulaski and Iowa; (2) drug spots on Lawndale operated by JOHNSON; and (3) the drug spot in the vicinity of Division and Keeler operated by LONGSTREET.<sup>8</sup>

## **II. Facts Establishing Probable Cause**

21. The facts establishing probable cause section set forth below is organized as follows:
- Part A sets forth LONGSTREET's leadership and drug trafficking. This section includes four kinds of evidence. Part A.1 discusses information obtained from cooperating witnesses. Part A.2 discusses information obtained from the wiretap interceptions divided into four parts: (a) calls between LONGSTREET and JOHNSON; (b) calls between LONGSTREET and SUTTON; (c) calls between LONGSTREET and workers JACKSON, ERVIN and WALLACE; and (d) calls between LONGSTREET and suppliers WILLIS, ANIBABA, and PATTERSON. Part A.3 discusses undercover purchases of narcotics made from the drug spot personally operated by LONGSTREET at Division and Keeler.
  - Part B sets forth JOHNSON's drug trafficking. This section includes four kinds of evidence. Part B.1 discusses information obtained from cooperating witnesses. Part B.2 discusses information obtained from the wiretap interceptions regarding calls regarding LONGSTREET's purchase of heroin from JOHNSON and GRAY. Part B.3 discusses a seizure of heroin from GRAY and BYNDOM. Part B.4 discusses undercover purchases of narcotics made from JOHNSON's drug spots.
  - Part C sets forth SUTTON's drug trafficking. This section includes three kinds of evidence. Part A.1 discusses information obtained from cooperating witnesses. Part A.2 discusses information obtained from the wiretap interceptions divided into five parts: (a) calls between

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<sup>8</sup>During the pendency of this investigation, SUTTON initially operated his spot at Hamlin and Iowa. SUTTON relocated to Avers and Iowa and also to the vicinity of Pulaski and Iowa. LONGSTREET personally operated a spot in the vicinity of Division and Keeler that he started in April 2005 and as of May 2005 also operated a spot on Hamlin and Iowa. JOHNSON has operated spots in an area on Lawndale between Thomas and Augusta.

SUTTON and partners/customers TERRY, THORNTON and MCBEE; (b) calls between SUTTON and workers CLAYTON, YELVINGTON, MARSHALL SUTTON, and ERVIN; (c) calls between SUTTON and neighboring drug spot operator and customer KINCAID; (d) calls between SUTTON and suppliers ZEPEDA, OROZCO, BARRERA, HICKEY, and MANZANARES; and (e) calls between SUTTON and customers RICE, ALLEN, HARDMON, BROWN, PINKNEY, SMITH, LOYD, GRIFFIN, NEWELL, WATTS, and RUCKER. Part A.3 discusses undercover purchases made from SUTTON's drug spot.

**A. Leadership and Drug Trafficking of RAY LONGSTREET**

**1. Information obtained from cooperating witnesses**

**a. *Information From CW2 Regarding LONGSTREET's Drug Operation at Hamlin and Iowa Operated by SUTTON***

22 CW2 is a Four Corner Hustler who has worked for SUTTON on his drug spot at Hamlin and Iowa. CW2 provided information to investigators based on his/her own observations while being present at the drug location near the intersection of Hamlin and Iowa. CW2 was interviewed on November 12, 2004.<sup>9</sup>

23. CW2 stated that drug spot at Hamlin and Iowa is controlled by the Four Corner Hustler street gang under the leadership of "Ray Ray" (known nickname for LONGSTREET). CW2 stated that in the past he/she sold drugs in this area for an individual known as "Antamaine" (known nickname for SUTTON). CW2 stated that based on conversations he/she has overheard as well as conversations he/she has had with other individuals working for SUTTON, he/she knows that SUTTON pays RAY LONGSTREET approximately \$5,000 to \$10,000 so SUTTON can sell crack

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<sup>9</sup>CW2 has approximately nine convictions between 1993 and 2002 for offenses including controlled substance offenses and burglary. CW2 has been previously arrested near the intersection of Hamlin and Iowa (drug spot operated by ANTHONY SUTTON) for drug related charges. CW2 has been observed by surveillance units working at that drug spot. Information provided by CW2 was consistent with other interviews of other individuals conducted by investigators, surveillance conducted by law enforcement, undercover purchases of narcotics at Hamlin and Iowa by law enforcement officers, and information gathered during the wiretap. CW2 is not currently cooperating. CW2 has made statements against penal interest. No promises were made to CW2 in exchange for the information provided.

cocaine and heroin in the area of Hamlin and Iowa. CW2 stated that this payment amounts to a percentage of drug sales.

**b. *Information From CW3 Regarding LONGSTREET's Drug Operation Including the Operation at Hamlin and Iowa and LONGSTREET's Collection of Street Taxes***

24. CW3 is a member of the Gangster Disciples who has worked on a drug spot near SUTTON's drug spot at Hamlin and Iowa. CW3 provided information based on his/her personal knowledge and observation while working for SUTTON, as well as information that was told to CW3 by other workers involved in SUTTON's drug operation. CW3 was interviewed in August 2004 and on November 18, 2004.<sup>10</sup>

25. CW3 stated that the geographical area of Pulaski Avenue east to Lawndale Avenue and Chicago Avenue north to Division Street, is generally controlled by the Four Corner Hustler street gang under the leadership of RAY LONGSTREET. CW3 stated that the heads of each narcotics location operating within this geographical area are required to pay a "street tax" to LONGSTREET. CW3 further stated that LONGSTREET is not often seen in the area. CW3 stated LONGSTREET usually has SUTTON collect the "street taxes." CW3 stated that SUTTON pays LONGSTREET approximately \$5,000 and \$10,000 per week to sell narcotics in the area of Iowa and Hamlin. CW3 stated that the amount of "street tax" is determined by the volume of weekly sales at each location under LONGSTREET's control.

26. CW3 further stated that when LONGSTREET is around an individual by the name of "Ice Mike" (MICHAEL ERVIN) is with him for protection. CW3 provided law enforcement with identifying information for "Ice Mike" including his address at 1123 N. Austin Blvd. in Chicago.

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<sup>10</sup>CW3 has approximately four convictions between 1998 and 2004 for controlled substance offenses CW3 has been previously arrested near the intersection of Hamlin and Iowa (drug spot operated by SUTTON) for drug related charges. CW3 has been observed by surveillance units working near SUTTON's drug spot. Information provided by CW3 was consistent with other interviews of other individuals conducted by investigators, surveillance conducted by law enforcement, undercover purchases of narcotics at Hamlin and Iowa by law enforcement officers, and information gathered during the wiretap. CW3 is not currently cooperating. CW3 has made statements against penal interest. No promises were made to CW3 in exchange for the information provided.

Based on that information, law enforcement was able to confirm that "Ice Mike" is ERVIN.

27. CW3 also said that KENNETH WALLACE and Individual B are used by LONGSTREET for enforcement. WALLACE goes by the nickname of "Twin."<sup>11</sup>

28. CW3 said that he/she on occasion "hustles" (street term for selling drugs) on the 900 block of North Hamlin (in the vicinity of Hamlin and Iowa) which is a Four Corner Hustler "spot" controlled by LONGSTREET. CW3 stated that LONGSTREET currently lives in the suburbs, but that his family's house is located at 913 N. Hamlin. CW3 further stated that LONGSTREET had given control of the drug spot near this address at Iowa and Hamlin to SUTTON who is in charge of all of the crack cocaine sales on the block.

29. CW3 stated that ANTHONY SUTTON brings crack cocaine to the block on a daily basis between 8:00 a.m. and 9:00 a.m. and delivers it to one of his three shift managers. CW3 said that regardless of which shift is working the spot, the supply of crack cocaine is kept in the female manager's second floor apartment, which is directly across the street from LONGSTREET's family's house.

30. CW3 further explained that heroin is also sold on the 900 block of Hamlin but that one individual is the sole seller of the heroin. That individual distributes the heroin at the direction of SUTTON and LONGSTREET. CW3 stated that the individual often keeps his stash of heroin in the basement apartment of 913 N. Hamlin. CW3 also stated that the profits of both the heroin and crack cocaine sales are said to be funneled back to LONGSTREET via SUTTON.

**c. *Information From CW4 Regarding LONGSTREET's Drug Operation at Hamlin and Iowa Operated by SUTTON***

31. CW4 is a self admitted Four Corner Hustler. CW4 provided information based on his/her personal knowledge and observations of the various drug locations on the west side, near the area where CW4 was selling narcotics. In addition to his/her own observations and personal knowledge, CW4 also provided information based on his/her conversations with other drug dealers

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<sup>11</sup>Investigators are aware that another individual, Individual B, also uses the same nickname of "Twin."



from the west side of Chicago. CW4 was interviewed on June 11, 2004.<sup>12</sup>

32. CW4 said that the Four Corner Hustler street gang, under the leadership of RAY LONGSTREET, known by the nickname of "Ray Ray," controls the sales of white heroin at Iowa and Hamlin. CW4 related that RAY LONGSTREET allows ANTHONY SUTTON, known by the nickname of "Antamaine," another high-ranking member of the Four Corner Hustler street gang, to control the sales of crack cocaine in the area of Hamlin and Iowa.

33. CW4 stated that LONGSTREET allows a particular individual to sell heroin at Division and Hamlin. LONGSTREET also allows another particular individual to sell heroin in the area of Thomas and Hamlin for which the individual pays LONGSTREET \$2000 per week. CW4 further stated that another particular individual pays LONGSTREET, \$1,000 per week to sell heroin at another location.

## **2. Information obtained from wiretap interceptions<sup>13</sup>**

### **a. *Examples of calls Between LONGSTREET and ANTONIO JOHNSON Talking About the Drug Dealing Business.***

34. The calls set forth below demonstrate, among other things, that LONGSTREET and JOHNSON are both drug operation leaders who share similar issues and concerns about the drug dealing businesses.

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<sup>12</sup>CW4 has approximately four convictions between 1987 and 1999 for offenses including weapons offenses, armed robbery, and aggravated battery. According to CPD gang intelligence, CW4 has been involved in the distribution of narcotics for approximately the past ten years. Information provided by CW4 was consistent with other interviews of other individuals conducted by investigators, surveillance conducted by law enforcement, undercover purchases of narcotics at Hamlin and Iowa by law enforcement officers, and information gathered during the wiretap. CW4 is not currently cooperating. No promises were made to CW4 in exchange for the information provided.

<sup>13</sup> To the extent that intercepted and recorded communications are summarized, those summaries do not include references to all of the topics covered during the course of the conversation that was intercepted. In addition, the summaries do not include references to all statements made by the speakers on the topics that are described. In many of the paragraphs describing calls set forth below, interpretations of the discussion during conversations are set forth in parentheses. These interpretations include meaning attributed to certain code words, coded language, or vague references used by the speakers. The coded terms have been analyzed for their meaning through the use of confidential informants, surveillance, and contact with other gang and drug investigators.

35. On April 23, 2005, at approximately 12:36 p.m., Target Telephone 2<sup>14</sup> received a call from 773-596-3328, a phone used by ANTONIO JOHNSON.<sup>15</sup> JOHNSON and LONGSTREET discussed various events and individuals involved in narcotics trafficking. JOHNSON asked LONGSTREET if “both the twins were on his team” (whether KENNETH WALLACE and Individual B were working for LONGSTREET) and LONGSTREET responded affirmatively. JOHNSON asked why they have been in his (JOHNSON’s) alley (most likely a reference to the alley between Lawndale and Monticello at Thomas street) and LONGSTREET told JOHNSON that he (LONGSTREET) needed to get on them (exert control over WALLACE and Individual B). LONGSTREET and JOHNSON discussed how hot the spots are (police presence on the drug spots). JOHNSON made a reference to one of his guys shooting someone and then sitting on the porch like it was nothing (a reference to the April 19, 2005 shooting at Thomas and Lawndale believed to have been committed by Individual A). JOHNSON told LONGSTREET that he has a six man crew that he pays (workers selling the narcotics for him). LONGSTREET stated that he had some Nigerians that he had just hooked up with but does not have a crew to push the stuff (has a new supplier but

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<sup>14</sup>As previously stated, the number for Target Phone 2 is (773) 213-9894, used by RAY LONGSTREET. Information establishing LONGSTREET is the user of Target Phone 2 includes the fact that on April 13, 2005, at approximately 10:43 am (Call 5839 intercepted on Target Phone 1), ANTHONY SUTTON called 773-213-9894. During the conversation, the individual to whom SUTTON was speaking (LONGSTREET) stated, in describing an occasion in which he was interviewed by police, that he told the police officers that he did not go by the nickname “Strawberry” (a nickname used by LONGSTREET according to CPD gang intelligence records) anymore and relayed to SUTTON that he told the officers, “man my motherfuckin name is Ray Longstreet.”

<sup>15</sup>Information establishing ANTONIO JOHNSON as the user of 773-596-3328 includes the following. First, in April 2005, CW6 (discussed in greater detail below) provided that number to law enforcement as JOHNSON’s current number. Second, on May 11, 2005, at approximately 7:49 p.m., investigators intercepted a telephone call between JOHNSON using 773-596-3328 and LONGSTREET during which JOHNSON informed LONGSTREET that he was on his way to the airport to rent a car. Investigators obtained records from the O’Hare Budget Rental that show that on May 12, 2005, “Antonio Johnson” rented a vehicle with a telephone number 773-596-3328 as his contact number. Third, in calls intercepted LONGSTREET refers to JOHNSON as “Scho,” an abbreviation for the nickname “Psycho,” a nickname by which ANTONIO JOHNSON is well known by investigators. Fourth, on May 19, 2005, investigators surveilling JOHNSON placed a call to 773-596-3328 and observed him answer the phone and then immediately hang up.

needs more workers to sell the drugs). LONGSTREET and JOHNSON then discussed how they used to make more money selling drugs, how hard it is now to make money selling drugs due to overhead, and workers who come up with money or “work” (drug proceeds or drugs) missing and how they are stressed out. They talked about partnering up and getting out there and “locking it up” (joining forces in selling drugs to take over territory together).

36. On April 25, 2005, at approximately 2:51 p.m., Target Telephone 2 received a call from ANTONIO JOHNSON using 773-596-3328. LONGSTREET told JOHNSON that he was in a new area now (new location for drug dealing) and was scouting out new land (trying to find new areas for drug spots) because the police are not letting him eat (police presence is hurting his business). LONGSTREET and JOHNSON had a discussion about a misunderstanding between the two of them and LONGSTREET clarified that it was the Nigerian’s “stuff” and not JOHNSON’s (Based upon other calls investigators know that GRAY had told JOHNSON that LONGSTREET was trying to return some of the drugs to him, GRAY. Here, LONGSTREET explained to JOHNSON that he was just showing GRAY the Nigerian’s drugs.)

37. On May 2, 2005, at approximately 9:52 am Target Telephone 2 received a call from (773) 640-7093, a second phone used by ANTONIO JOHNSON.<sup>16</sup> LONGSTREET and JOHNSON discuss a number of issues including: the possibility of being recorded; of being caught and the giving up of other people; the CPD blue light cameras and how they work; and the severity of getting caught with a “thang” (gun) and being taken federally. JOHNSON stated, “People think you are scared at times but you just learn.” LONGSTREET responded, “Time to go back to that old school where mother fucker go in street and fight, cause get caught with one of them thangs (guns) people

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<sup>16</sup>Information establishing ANTONIO JOHNSON as the user of 773-640-7093 includes the following. On May 2, 2005, investigators intercepted a call over Target Phone 2 between JOHNSON using 773-596-3328 and LONGSTREET. During the course of that conversation, JOHNSON provided another phone number to Longstreet, (773) 640-7093, and told LONGSTREET among other things that the phone is always on and that very few people have the number. JOHNSON basically indicated that this was a number that he, JOHNSON, could always be reached on. The voice heard in calls intercepted on (773) 640-7093 and (773) 596-3328 are the same.

ain't playing." JOHNSON said, "In our situation we fucked because we always targets, no matter what." LONGSTREET later added, "Right now you walking down the street caught with a thang you going to a Fed joint" (if you are caught with a gun on the street, you are going to get taken federally through Project Safe Neighborhoods). LONGSTREET told JOHNSON that he liked his style and they discussed being cut from the same cloth (meaning that back in the day people did not tell on each other) LONGSTREET stated, "People jealous of us ... I'm always getting down." JOHNSON responded, "Same flavor" (meaning so is he).

38. On May 5, 2005, at approximately 2:56 p.m. (Call No. 1416), 773-596-3328 called Target Phone 2. JOHNSON told LONGSTREET the following: that he was going to start selling "dubbs" at twenty or twenty five dollars a bag (of a narcotic, possibly heroin); that he has "some people" (source for drugs); and that he has some good stuff going out south and north (possibly the south and north side of Chicago or possibly out of state).

39. On May 7, 2005, at approximately 4:02 p.m., (Call No. 1490) 773-596-3328 called Target Phone 2. JOHNSON told LONGSTREET, "man they hot man, the mother fuckers all from Fillmore" (The police that are investigating the drug spots and making arrests are from Homan Square.) LONGSTREET then said to JOHNSON, "one good thing about it though kid, whenever they get down like that you in a position where you could just get out of sight." LONGSTREET is referring to the fact that JOHNSON can leave town any time he feels heat from the police, whereas LONGSTREET cannot because he is on parole and has restricted movement. JOHNSON the tells LONGSTREET that he did not leave in "the van" but in a car that "it don't go to nobody, it goes to somebody that ain't even you know" (he left in a car which does not register to anyone, most likely a rental vehicle, which would help him avoid police detection).

40. Later in the conversation LONGSTREET complained about finding good help to sell drugs. JOHNSON said to LONGSTREET that, "I fire people off the first mistake dawg...the second one might cost a mother fucker if the first one don't" (fires people for making a mistake). JOHNSON went on to say, "no but all them little cats that be out there they ain't no where near close

to me man.”(He is removed from his drug spots and the people selling to customers do not even know him.).

41. JOHNSON and LONGSTREET began to talk about their drug spots again and LONGSTREET complained that his sellers do not know how to act and were being too obvious, “man I said if I was an older person and I owned a house over here I’d call the police on you niggas too. Look at what you all doing.” LONGSTREET then complimented one of JOHNSON’s blocks where JOHNSON’S drugs are being sold: “Now when I came over you was out there that night, that’s how its supposed to be done, everybody chillin in their little huddles, quiet ain’t no sounds rumping, no crowds hanging...” In response, JOHNSON explained that he required his workers to treat drug customers with respect: “No you can’t just like uh...the customer...man if I not catch one nigga calling a nigga no pussy ass. . . I ain’t none of that gorilla shit...my fuckin feelings whatever he (the customer) is whatever (he) do he still a man you know what I’m sayin... and thats who feeding us dummy”(the money from the drug customer is their income).

42. On May 11, 2005, at approximately 6:21 p.m., (Call No. 1727) Target Phone 2 received a call from 773-640-7093. JOHNSON informed LONGSTREET that the cameras had been moved to Hamlin and the surrounding alleys (meaning that Chicago Police Department blue light cameras had moved from JOHNSON’s drug location to the location of LONGSTREET’s drug operation).

**b. *Examples of Calls Between LONGSTREET and ANTHONY SUTTON Talking About the Drug Dealing Business.***

43. The calls set forth below reflect, among other things, SUTTON and LONGSTREET discussing workers on the drug spots in LONGSTREET’s territory, LONGSTREET’s desire to obtain guns and assert his control over his territory.

44. On March 12, 2005, at approximately 9:59 am, Target Telephone 2 called Target Telephone 1, a phone used by ANTHONY SUTTON.<sup>17</sup> LONGSTREET asked SUTTON about

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<sup>17</sup>As stated previously, the number for Target Phone 1 is (773) 655-1417, used by ANTHONY SUTTON. Information establishing that SUTTON is the user of (773) 655-1417

getting some “tools, them hammers we use” (guns). During that same call, LONGSTREET made reference to “need[ing] one” because “[Individual C mentioned by first name] got popped with that was my personal” (Individual C had been arrested with the personal gun of LONGSTREET). (Individual C, believed to be a half-brother of LONGSTREET, had recently been arrested with a gun that was found during a search of that individual’s residence.)

45. On March 19, 2005, at approximately 5:22 p.m., Target Telephone 2 called Target Telephone 1. LONGSTREET spoke briefly to SUTTON and then passed the phone to his brother Individual D. Individual D and SUTTON then had a discussion about money SUTTON apparently owed Individual D. It appeared from the conversation that “Twin” (a nickname used by KENNETH WALLACE and Individual B) may have owed SUTTON money for narcotics transactions which SUTTON wanted paid to Individual D.

46. On March 20, 2005, at approximately 6:13 p.m., Target Telephone 2 called Target Telephone 1. LONGSTREET asked whether or not SUTTON had got “receipts” from another individual (whether or not SUTTON has collected money from this other individual owed in connection with narcotics trafficking activities).

47. On March 24, 2005, at approximately 4:34 p.m., Target Telephone 2 called Target Telephone 1. LONGSTREET asked whether or not SUTTON has gotten “up with” (met with) an unidentified male individual to give him a “stack” (one thousand dollars). LONGSTREET then complained about “the boys out on the street fucking up” (workers not doing their job). LONGSTREET then asked SUTTON about the “receipt” that the police took from SUTTON (a

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includes the following. First, the phone is subscribed to “Anthony Sutton.” Second, other speakers on intercepted calls refer to him as “Ant” (which is a nickname for SUTTON known to investigators). Third, the fact that CW1 made a call in the presence of law enforcement to that number and told law enforcement that the person to whom CW1 spoke is the person known to CW1 as ANTHONY SUTTON. (Facts establishing CW1's reliability and a discussion of information obtained from CW1 is set forth in Part C.1.)

reference to the money that had been seized by Chicago Police Department officers during a recent stop of SUTTON and other individuals).<sup>18</sup>

48. On March 28, 2005, at approximately 7:19 p.m., Target Telephone 1 called Target Telephone 2. LONGSTREET stated that he had to run his nephew “off of Hamlin the other day” (reference to possible worker who may not be doing his job). LONGSTREET and SUTTON also discussed “Chub” (MARSHALL SUTTON) and the fact that Chub is not doing well as a drug spot worker and went back to doing his thing (using narcotics). LONGSTREET also made a reference to “Icey” (MICHAEL IRVIN) stating that if Icey “gets caught up with those boys” (a reference to unknown individuals) he (LONGSTREET) will “knock his legs from under his ass” (do violence to ERVIN). LONGSTREET also told SUTTON that he needs “two” (guns) but if he (SUTTON) comes up with “one” (gun) he (LONGSTREET) needs it really bad for that “nigga on the H” (a reference to a worker at the Hamlin street spot). LONGSTREET also told SUTTON to be on the lookout for one of those “thangs” (guns) because he (LONGSTREET) wants to “get this out of the way” and “send a message” (believed to be a reference to reestablishing his authority in the area).

49. On March 29, 2005, at approximately 12:01 p.m., Target Telephone 1 called Target Telephone 2. Among other things, LONGSTREET asked SUTTON if “that boy give you any money yet.” SUTTON said no and said that the individual gave SUTTON a “dollar” (most likely \$1000) and gave “Iceberg” (ERVIN) “two dollars” (most likely \$2000) LONGSTREET then stated that “Icey (ERVIN) didn’t give that back. I’m the one that made him give that back. Give you what he owes you.” SUTTON responded, “They owe receipts (drug proceeds). You all fucked up. Make it up. Don’t get behind.” LONGSTREET then stated: “When I catch them, I’m going to take it all...When the wrath come, it gonna fall. I’ll catch them all.” SUTTON responded, “Then they will all bring their little toys out” (bring guns out). LONGSTREET then stated, “It’s gonna catch up with them. I don’t want them (working for me). I just want what they owe me (street taxes). Give me

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<sup>18</sup> This stop was made by officers unfamiliar with the wiretap investigation and was not done in conjunction with the wiretap. SUTTON was subsequently released but the money on his person was seized. Forfeiture of the money is pending.

what you owe me and I'm gone. And I'm gonna get that by hook or by crook." LONGSTREET and SUTTON are discussing: street taxes owed by drug spot dealers to LONGSTREET, those taxes not being paid to LONGSTREET, and LONGSTREET intending to do something about it.

50. On April 6, 2005, at approximately 9:04 p.m., Target Telephone 2 called Target Telephone 1. SUTTON asked LONGSTREET about "things" (guns) that he, SUTTON, was supposed to get for LONGSTREET and makes reference to the fact that "they can't use them big demonstrations cause you know you can't tote them like you could them other ones" (don't want to use big guns because you can't carry them like you can small guns). LONGSTREET told SUTTON to "get on them" (get the guns) and SUTTON responded that he has a guy who is going to go to Gary (Indiana) on Friday to get them. LONGSTREET then discussed "coming out on Saturday" to "jump down on some people" at a particular location and "open up a spot." (The day after getting the guns, LONGSTREET will get on people who owe him money and begin taking over territory to start operating his own spot, possibly because he has not been getting paid street taxes he is owed by others operating drug spots.) LONGSTREET made reference to "Twin" doing good until "he got up with that broad and them wheels" (referring to either WALLACE or Individual B not doing his job because he is involved with a woman who began selling on the spot and has been leaving the spot in his car). After asking SUTTON if SUTTON has asked anyone about the "hammers" (guns), to which SUTTON responded that they are hard to get, LONGSTREET stated that "as soon as he gets four or five he is going to hold onto them real tight" (referring to wanting to obtain four or five guns and make sure he hangs onto them). SUTTON also stated that he has given "Iceberg" (ERVIN) two bucks (possibly street tax to give to LONGSTREET) as instructed. LONGSTREET then asked to speak to "Chub" (MARSHALL SUTTON) and asked him why he is "fucking up" and said that Chub "needs to straighten out" or else "he is going to fuck him up" (referring to the fact that MARSHALL SUTTON needs to stay off of drugs and do his job).

51. On April 8, 2005, at approximately 10:22 am Target Telephone 2 called Target Telephone 1. LONGSTREET asked SUTTON if he had access to the "hammers" (guns) so he



(LONGSTREET) can put everything together that he needs. LONGSTREET stated that he is looking for that one “demonstration” (location to open up a drug spot). LONGSTREET further stated that he was looking to go over to a particular area and wanted to have “two pieces” (guns) ready just in case. LONGSTREET then told SUTTON to be ready for him on Saturday (ready for SUTTON to supply him with narcotics to start LONGSTREET’s spot in the vicinity of Division and Keeler) and wanted “four gym shoes” (a quantity of narcotics).

52. On April 9, 2005, at approximately 12:39 p.m., Target Telephone 1 called Target Telephone 2. SUTTON and LONGSTREET discussed “demonstrations” and SUTTON told LONGSTREET that he learned from “Aaron” (AARON CLAYTON, a worker for SUTTON) that “Tameka givin [a specific individual], them, them demonstrations.” (JACKSON has given the individual narcotics to sell on the spot on Hamlin.) LONGSTREET asked whether “[S]he been over there doing my thing?” to which SUTTON responded that something was not right. LONGSTREET told SUTTON to tell “Ice” (ERVIN) to “go through there and take that shit” adding that “we’ll find out then.” At approximately 12:57 p.m., SUTTON called LONGSTREET on Target Telephone 2. SUTTON said that “Aaron” (AARON CLAYTON) confirmed that “it’s coming from Tameka.” LONGSTREET then instructed SUTTON that “you have to get one of them guys to take it from her,” and SUTTON stated that he was going to have “Icey” (ERVIN) follow her right now. (SUTTON and LONGSTREET are discussing having ERVIN take the drugs from the person selling on Hamlin and see who comes out so that TEMEKA JACKSON will have to say something as it would be her money.)

53. On April 10, 2005, at approximately 6:58 p.m., Target Telephone 2 called Target Telephone 1. LONGSTREET asked what was going on and SUTTON responded that he was waiting on his guy who was at church all day and is now talking about tomorrow. (SUTTON was waiting on his supplier, possibly EDGARDO BARRERA, who might not be able to deliver the drugs until tomorrow.) LONGSTREET stated that he would call SUTTON the following day.

54. On April 11, 2005, at approximately 9:34 am Target Telephone 2 called Target Telephone 1. LONGSTREET asked SUTTON if he (SUTTON) was “taking care of that” (obtaining narcotics from EDGARDO BARRERA) today. SUTTON responded affirmatively and told LONGSTREET it would be around 12:00. LONGSTREET told SUTTON not to be putting him on hold (not to forget about supplying him). (Subsequent calls demonstrate that SUTTON did in fact supply LONGSTREET with narcotics.)

55. On April 16, 2005, at approximately 4:59 p.m., Target Telephone 2 received a call from Target Telephone 3 (Call No. 69). During the call, LONGSTREET told SUTTON that “I'm gonna put you and him down on the H, (LONGSTREET will assign SUTTON and another individual run the drug spot on Hamlin Street) and I'm fit'n a go down on the P and the I (LONGSTREET will to run a drug spot on Pulaski and Iowa streets) 'cause uh...I ain't gettin' no rhythm down there like I need...you know (not making enough money on Hamlin).” SUTTON responded, “Oh come on, make sure they whole because I think that mother fucker's gonna turn around man this weather breaks...” (when the weather improves, drug business at the spot will pick up). LONGSTREET further stated that he has been having a strange feeling about the “P” and the “I” and has been having that feeling for three years (having a strange feeling about Pulaski and Iowa). LONGSTREET and SUTTON had further discussion about putting the other individual on the “H” and the “I” and SUTTON and LONGSTREET taking the “P” and the “I” (having the individual run the drug spot on Iowa and Hamlin and having SUTTON and LONGSTREET run Pulaski and Iowa).

56. On April 18, 2005, at approximately 6:48 p.m., Target Telephone 2 called Target Telephone 1. LONGSTREET asked SUTTON how much was supposed to be in there and SUTTON responded that it was “sixty-three” (grams of a narcotic, most likely crack cocaine, since 63 grams - or 2 1/4 ounces - is a common cocaine measurement in street dealing). LONGSTREET told SUTTON that he had “put it on the machine” and “it was 40.3” (he had weighed the drug and it came out to 40.3 grams). SUTTON asked LONGSTREET to describe what it looked like and

LONGSTREET explained to SUTTON that it was a good sized piece, a smaller piece and some that was crumbled and it was in a plastic bag (describing the appearance of the drug). LONGSTREET then told SUTTON that “one egg” was “supposed to be 24” (one ounce of the drug is supposed to be 24 grams) and SUTTON responded that that was incorrect and it was supposed to be “28” (28 grams per ounce). LONGSTREET stated that when he is dealing with the girl, it’s 28 and with the guy it is 24 (saying that with cocaine it is broken down into 28 gram amounts and with heroin it is 24 grams amounts). LONGSTREET told SUTTON that he would get together with him on Wednesday and show him what he means.

57. On April 27, 2005, at approximately 2:43 p.m., (Call 884) Target Telephone 2 called Target Telephone 1. LONGSTREET told SUTTON that the “demonstration” (amount of narcotics) SUTTON sent LONGSTREET was inaccurate. SUTTON stated that he had given LONGSTREET “a sixty-third” (63 grams). LONGSTREET also stated during the conversation that he had just gotten a “whole box of T-shirts” (quantity of heroin) from “some Nigerians” (a reference to ANIBABA as set forth below in Part C.2) and that they have some “real nice clothes” (quality of the heroin is good).

58. On May 4, 2005, at approximately 11:11 am Target Telephone 2 received a phone call from Target Telephone 3. LONGSTREET told SUTTON to be careful on the spots (drug spots) because undercover officers are making purchases and then coming back and making arrests. LONGSTREET told SUTTON that the “boys on Lawndale” were involved in some shootings (referring to JOHNSON’s workers on his spots on Lawndale and most likely the shooting by Individual A at Lawndale and Thomas referenced above).

**c. *Examples of calls between LONGSTREET and workers TEMEKA JACKSON, KENNETH WALLACE and MICHAEL ERVIN or others regarding narcotics trafficking at Division and Keeler and elsewhere in LONGSTREET’s territory.***

59. The calls set forth below show LONGSTREET discussing issues on the drug spot at Division and Keeler on which he sells his own narcotics with manager JACKSON and workers WALLACE and ERVIN.

60. On April 16, 2005, at approximately 7:32 p.m., (Call No. 129) Target Telephone 2 received a call from 773-628-3850 used by TEMEKA JACKSON.<sup>19</sup> JACKSON told LONGSTREET, “Ray Ray, call Antamaine (SUTTON) and give him my number right quick...” LONGSTREET asked, “What's up?” JACKSON responded, “Because we got a gansta over here...he's gonna say what he's gonna do, he's gonna bring his gangsters out here, he a gangster, he ain't no Four Corner Hustler. Now he gonna bring his gangsters and gonna poach up out here where we at?” Later in the conversation, LONGSTREET asked, “Who's he working for, Antamaine?” JACKSON told LONGSTREET, “He said he's with Antamaine, but he ain't, he said I ain't no mother fuckin' Four, I'm a gangster. He brought his gangsters over here...” TEMEKA JACKSON is telling LONGSTREET that she needs SUTTON to come over to the drug spot because a gang member from another street gang (possibly a reference to the Gangster Disciples) is threatening to close her operation down and sell his drugs at their spot.

61. On April 17, 2005, at approximately 12:51 p.m., Target Telephone 2 received a call from (773) 626-5134, used by MICHAEL ERVIN.<sup>20</sup> LONGSTREET and ERVIN discussed a

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<sup>19</sup>Information establishing TEMEKA JACKSON as the user of (773) 628-3850 includes the following. First, the phone is subscribed to in the name of Temeka Jackson at 4204 West Division, Chicago, Illinois. (That address has been linked to JACKSON in that in April 2005, she signed a bond slip for another individual and listed her address as 4204 West Division.) Second, surveillance has observed JACKSON at that residence. Third, in two telephone calls intercepted on April 17, 2005, between Target Telephone 2 and (773) 628-3850 (Call No. 193 and Call No. 198), LONGSTREET addressed the caller as “Temeka” and the caller responded affirmatively.

<sup>20</sup>Information establishing that MICHAEL ERVIN is the user of 773-259-5287 includes the following. First, on or about December 13, 2004, MICHAEL ERVIN was arrested pursuant to an outstanding warrant. The officers who placed ERVIN into custody that day have listened to telephone calls in which ERVIN has been intercepted on Target Phone 1 and have identified him as the person speaking on telephone number 773-259-5287. Second, there have been a number of calls in which ERVIN himself or one of the other speakers referred to ERVIN by nickname (previously provided by CW3 as set forth above). For example, on March 10, 2005, at approximately 6:09 p.m., (Call No. 284) law enforcement intercepted an outing phone call from Target Phone 1 to 773-259-5287. The call went into voice mail and SUTTON stated, “Iceberg, hit me back, this is Ant.” Similarly, on March 11, 2005, at approximately 1:11 p.m., (Call No. 519), law enforcement intercepted ANTHONY SUTTON retrieving his voicemail messages on Target Phone 1. One of the telephone calls was from 773-259-5287 in which the caller identified himself as “Iceberg.” Also, on March 20, 2005, at approximately 5:28 p.m., (Call No. 1808) investigators intercepted an incoming call from 773-259-5287 to Target Phone

shooting that happened at Augusta and Harding. LONGSTREET asked ERVIN whether it was a certain individual (referring to the individual who was shot) and ERVIN responded that he didn't know. ERVIN told LONGSTREET about hiding from the police then discussed going into hiding by buying a wig and checking into a hotel. In an earlier call, an unidentified male told LONGSTREET that "Icy" - a nickname for ERVIN - had "opened up" and "popped eleven times" (fired eleven times) at someone near Augusta and Harding with a "Tec" (Tec 9 firearm).

62. On April 17, 2005, at approximately 3:18 p.m., Target Telephone 2 received a call from (773) 596-3328 (as stated above is used by ANTONIO JOHNSON). LONGSTREET told JOHNSON that a particular individual and his brother (the individual discussed in the above call between ERVIN and LONGSTREET) got into an argument with "Icy" (ERVIN) and then tried to apologize but "Icy" refused their apology and "went to work" and "hit" them (shot them).

63. On April 17, 2005, at approximately 4:09 p.m., (Call No. 219) Target Telephone 2 called 773-628-3850. JACKSON told LONGSTREET, "Ain't nothin' movin'" (drug sales have stopped on the drug spot at Division and Keeler). LONGSTREET responded, "What you mean?" and JACKSON explained, "It's three crowns with four of 'em in each car." LONGSTREET asked "Huh?" and JACKSON further explained, "It's three crowns with four polices in a car." (No drugs are being sold because there are police in the area.)

64. On April 18, 2005, at approximately 2:40 p.m., Target Telephone 2 received a call from 773-628-3850. JACKSON told LONGSTREET that "they are on every corner" (the police are on other drug spots as well). LONGSTREET responded that that was good because it meant it was not personal (the police are not focusing solely on him).

65. On April 19, 2005, at approximately 8:55 p.m., Target Telephone 2 received a call from JACKSON.<sup>21</sup> JACKSON told LONGSTREET that they had been shooting (guns) all day on

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1. SUTTON answered the call, "What's up Iceberg?" ERVIN responded, "What's up?"

<sup>21</sup>Due to technical difficulties, the number used by JACKSON and the direction of the call is not currently available. Investigators believe the speaker to be JACKSON based upon a voice comparison to other calls in which JACKSON is the speaker.

Lawndale and Thomas and that [Individual A] was doing the shooting and shot up [the victim] of Ridgeway and Thomas (believed to be a reference to an incident where an individual was shot at Thomas and Lawndale and the shooter was captured on Chicago Police Department blue light cameras). JACKSON stated that "Monticello is into it with the guys on Lawndale" (workers from drug spots at Monticello are having gun battles with workers from the drug spot at Lawndale - JOHNSON's drug spots) and "it's hot on every corner." (There is police presence on these corners).

66. On April 20, 2005, LONGSTREET, using Target Telephone 2, and JACKSON, using 773-628-3850 had a series of phone calls regarding JACKSON preparing narcotics for distribution. In a call intercepted at approximately 3:11 p.m., LONGSTREET told JACKSON that it was supposed to be "60" (grams of narcotics) and JACKSON responded that she used to get "64" (grams of narcotics). JACKSON told LONGSTREET that she needed more "plastic and foil" (for the packaging of narcotics), and LONGSTREET responded that he would stop and get some. In another call intercepted at approximately 4:21 p.m., LONGSTREET told JACKSON that she needed to "smash" the piece she got before she put it in the blender (break up the narcotics before putting them in the blender to prepare for distribution). LONGSTREET then told JACKSON to give it to "Twin" (a reference to either WALLACE or Individual B, both of whom work for LONGSTREET in his narcotics operation) when she was through and to let him know how much she had given him.

67. In a later call intercepted at approximately 5:17 p.m., JACKSON told LONGSTREET to put the "tank tops" in "sevens" and the other go in "fourteens" (packaging of heroin in certain amounts for distribution). JACKSON told LONGSTREET that the "count" was "750" (likely referring to the number of bags of heroin once prepared and packaged for distribution). LONGSTREET further told JACKSON to remember how much the hard piece was that he brought her (the number of grams of narcotics given by LONGSTREET to JACKSON). In a later call at 5:43 p.m., LONGSTREET told JACKSON "not to put that much on it" (not to put too much cutting agent on the heroin since cutting agent is usually referred to being placed "on" the drug). Shortly thereafter, in a call intercepted at approximately 5:52 p.m., LONGSTREET and JACKSON spoke

again and JACKSON told LONGSTREET that he had bought the wrong kind of foil - that she needed extra strength (for packaging the heroin).

68. On April 20, 2005, at approximately 8:54 p.m., LONGSTREET, using Target Telephone 2, again spoke to JACKSON, using 773-628-3850. JACKSON talked to LONGSTREET about problems on the block (drug spot) and specifically complained that "Twin" (referring to one of the WALLACE twins) did not want to work but instead wanted to just stand around. LONGSTREET stated that he was going to find out what was going on (with the workers on the spot) by putting people over there to watch.

69. On April 22 at approximately 4:22 p.m., Target Phone 2 received a call from 773-628-3850. JACKSON told LONGSTREET she was going to call him back in five minutes. LONGSTREET asked JACKSON, "What the fuck you mean you gonna call me back in five minutes?" JACKSON responded, "Because I'm counting the money what you want me to say?" LONGSTREET later stated, "No don't stop doing that baby, don't stop doing that. Hey uhh, uhh, uhh...you at the house right?" JACKSON acknowledged that she was. (JACKSON is counting narcotics proceeds at her home.)

70. On April 22, 2005, at approximately 9:38 p.m., Target Telephone 2 received a call from (773) 628-3850. JACKSON told LONGSTREET that the police have been chasing everyone from the spot (drug spot). LONGSTREET told JACKSON to have someone watch the back and shut it down (shut down narcotics sales due to police presence).

71. On April 23, 2005, at approximately 1:14 p.m., Target Telephone 2 received a call from (773) 628-3850. LONGSTREET told JACKSON to stop having people hanging out at her house if they don't want to work (by selling drugs on the drug spot). LONGSTREET also said that he was going to buy them radios (walkie talkies) so that they could communicate and avoid people going to jail (workers could easily notify each other when police are approaching). JACKSON talked about ANTHONY SUTTON not having anyone (workers) out there (on the drug spot). Earlier that day, JACKSON using (773) 628-3850 had called LONGSTREET on Target Phone 2

complaining that no one wanted to work, and LONGSTREET told JACKSON to “throw the other Twin out there to work” (referring either to WALLACE or Individual B). JACKSON also stated that everyone was over on Lawndale and that the alley was packed (drug sales are going well on JOHNSON’s spots). LONGSTREET said that he was going to get “50 more” (grams of narcotics) today. JACKSON and LONGSTREET also discussed [Individual A] and the guy who lost his leg (shooting victim), and JACKSON stated that “he” (Individual A) did “it” (the shooting) right under the camera at Lawndale and Thomas in broad daylight.

72. On April 24, 2005, at approximately 4:05 p.m., (Call No.703), Target Telephone 2 called (773) 628-3850. LONGSTREET and JACKSON discussed a recent arrest of a person with a gun. LONGSTREET stated, “They found one gun and it was one of mines.... That boy [referring to a specific individual] got caught with my thang right and uh uh they put it on him. They let ‘Twin’ go ...” (A specific individual was arrested with a gun that was actually LONGSTREET’s and the police let “Twin” - either WALLACE or Individual B- go. CPD reports confirm that an individual was arrested on the 900 block of North Hamlin on that date with a gun.). LONGSTREET also told JACKSON to collect drug proceeds: “They let ‘Twin’ go he over there right now. Make sure you grab them receipts from him. I told him you were gonna get them.”(LONGSTREET was instructing JACKSON to get the drug proceeds from the sale of drugs from “Twin” - a reference to either Individual B or WALLACE).

73. On April 24, 2005, at approximately 10:34 p.m., Target Telephone 2 received a call from (773) 628-3850. LONGSTREET told JACKSON that he needed to pick up “a piece of the new demonstration” (narcotics). JACKSON told LONGSTREET that she bagged two thousand (packaged a quantity of narcotics). She further stated that a certain individual (referring to a possible street worker) said that they were going to get up at 6:00 am and go out there (to the drug spot to sell the narcotics). LONGSTREET instructed JACKSON on how to distribute the narcotics.

74. On April 25, 2005, at approximately 1:40 p.m., Target Telephone 2 received a call from (773) 628-3850. JACKSON put “Twin” (referring to either WALLACE or Individual B) on



the phone with LONGSTREET. “Twin” told LONGSTREET that he had some “receipts” (money for LONGSTREET from the sales of narcotics) and that he needed some “food” (narcotics to sell).

75. On April 25, 2005, at approximately 3:26 p.m., (Call 784), Target Telephone 2 received a call from 773-908-9611, used by KENNETH WALLACE.<sup>22</sup> WALLACE identified himself as “Scarface” to LONGSTREET. LONGSTREET asked WALLACE where his two hundred dollars was (LONGSTREET’s drug money). WALLACE responded that he has was on his last “two” (packs of narcotics) and that he had a hundred of the money right now. LONGSTREET told WALLACE that “Icy’s” (ERVIN ’s) girlfriend called about the location of a “demonstration” (believed to be a reference to a gun based upon previous phone calls intercepted in which LONGSTREET complained about a missing gun ERVIN’s girlfriend was supposed to store in a garage for LONGSTREET). LONGSTREET told WALLACE to walk from Iowa down Pulaski to meet with him.

76. On April 25, 2005, at approximately 4:25 p.m., Target Telephone 2 received a call from (773) 628-3850. JACKSON told LONGSTREET that “Aaron” (AARON CLAYTON) got caught by the police and had \$200 taken. JACKSON also stated that “Twin” got away and the police took “D” out of the car and asked him where he got his money. JACKSON also stated that the police took \$700 from them. LONGSTREET also asked JACKSON if she liked the “concoction” (processed narcotics) he put together and if “they” (drug customers) liked it. JACKSON said that

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<sup>22</sup> Information establishing WALLACE was the user of 773-540-2219 includes the following. On April 5, 2005 at approximately 11:10 am WALLACE identified himself as “Scarface” when calling Target Telephone 1 from that number. Information establishing WALLACE is the user of 773-908-9611 includes the following. On April 25, 2005 at approximately 3:26 pm WALLACE identified himself as “Scarface” when calling Target Telephone 2. Information establishing KENNETH WALLACE is the user of 708-646-7730 includes the following. On May 8, 2005 at approximately 7:29 pm WALLACE identified himself as “Scarface” when calling Target Telephone 2. Information establishing KENNETH WALLACE as an individual known as “Scarface,” occurred through multiple street interviews with WALLACE including a stop and interview which occurred on May 20, 2005 in which WALLACE identified himself as “Scarface”

“it’s been moving” since 4:00 p.m.(drug sales had been good since 4:00 p.m.). JACKSON also stated that it was “42” (believed to be a reference to the drug amount coming out to 42 grams).

77. On April 27, 2005, LONGSTREET using Target Telephone 2 had a number of phone calls with TEMEKA JACKSON using 773-628-3850 regarding the processing and amounts of narcotics. At approximately 2:33 p.m., LONGSTREET and JACKSON had a conversation in which JACKSON told LONGSTREET how she mixes the “stuff” for him and how she always follows his instructions on how to mix it (processing the narcotics for distribution). In a call intercepted at approximately 2:47 p.m., LONGSTREET told JACKSON that he just finished talking to his guy (a reference to a preceding phone call with SUTTON) who said that he gave LONGSTREET “63” (grams). LONGSTREET then asked what “63” was and JACKSON stated she would call someone and find out. JACKSON called back at approximately 2:52 p.m., and told LONGSTREET that it was “two and a split” (two and a half ounces).

78. On April 30, 2005, at approximately 9:37 p.m., (Call No. 1160) Target Phone 2 received a call from 773-772-2774. LONGSTREET told ERVIN, “Yeah I’m mad about my mutha fuckin gun too cause I know one thing - ain’t no polices went in that motha fuckin garage.” ERVIN explained to LONGSTREET “And you know I had too much of your money (drug proceeds) all I got to do is pick up the box and walk out the house...” Later in the conversation LONGSTREET said, “The thang (LONGSTREET’s gun) is missing. I’m saying you said that girl knew where it was she put it up...I waited. I was patient... And when she went in there she said it wasn’t there.” LONGSTREET further stated, “All I know is the shit is missing.”

79. In the above call, LONGSTREET is telling ERVIN that he is angry with him because his gun that was being hidden in a garage is missing. ERVIN has been in charge of LONGSTREET’S drug spot, including security at the location. ERVIN holds money from the drug sales until LONGSTREET is able to pick up the funds. ERVIN told LONGSTREET that he was holding a lot of LONGSTREET’S money (from drug sales).

80. On April 30, 2005, at approximately 10:07 p.m., (Call 1166), Target Telephone 2 received a call from 773-355-1571. LONGSTREET told WALLACE that he wanted his guns, and “Bootsy’s” (KARL TERRY’s) guns back. WALLACE told LONGSTREET that he was at the Hamlin drug spot. WALLACE asked LONGSTREET if he could get a “dub” (quantity of narcotics) from someone on Hamlin. LONGSTREET told WALLACE to get a “dub” from WALLACE’s brother, (Individual B). LONGSTREET stated he would have given the narcotics to WALLACE but that it was too late because LONGSTREET was already on the expressway on the way home.

81. On May 3, 2005, at approximately 5:36 p.m., Target Telephone 2 received a call from (773) 628-3850. JACKSON told LONGSTREET that the undercover officers had grabbed both of the boys that “Twin” had brought over. (Undercover police officers had arrested two drug spot workers brought over by WALLACE or Individual B). LONGSTREET asked JACKSON if they liked the new stuff (whether the customers liked the narcotics) and JACKSON told LONGSTREET that they did not have a chance to do anything because undercover officers were sitting in vans and riding around in small cars hitting each spot (believed to be a reference to LONGSTREET’s spots at Division and Keeler and at Hamlin and Iowa). LONGSTREET stated that they (the police) are doing the same thing on “Psycho’s” (ANTONIO JOHNSON’s) spots. JACKSON and LONGSTREET then discussed how much money they were supposed to make off of 30 grams (of narcotics, most likely heroin) and JACKSON said that they made \$2150.

82. On May 8, 2005, at approximately 7:29 p.m., (Call 1557), Target Telephone 2 received a call from 708-646-7730. WALLACE identified himself as “Scarface” and asked LONGSTREET if he should give “Temeka” (JACKSON) the “receipts” (money). LONGSTREET told WALLACE to give JACKSON the “two” (amount of money) that WALLACE had on him. LONGSTREET told WALLACE to pass the money off quickly and not carry the money on his person. LONGSTREET spoke about putting “Icy” (MICHAEL ERVIN) on the Avers drug spot and WALLACE on the “H” (Hamlin) drug spot. When WALLACE complained of the police presence at the drug location, LONGSTREET advised WALLACE that “they” (LONGSTREET, WALLACE

and their associates in drug trafficking) are not boy scouts selling cookies, but are “thugs” without legitimate jobs, in the street hustling.

83. On May 9, 2005, at approximately 3:53 p.m., (Call No. 1608) Target Phone 2 received a telephone call from 773-628-3850. During the conversation JACKSON told LONGSTREET, “Its one,.. there’s two in the alley and one on the corner..an hour..two in the alley too, both of the alleys.” LONGSTREET replied, “I wonder why they put them in the alleys though...” JACKSON then stated, “Then in the alley, you can go see for yourself, there’s two them in the alley, and two in the other alley and one on Hamlin and none on Lawndale ..(unintelligible)..Yeah they after them.” LONGSTREET then questioned her by saying, “There’s one on Hamlin and two?” JACKSON went on to tell LONGSTREET “and two in the alley right there the Hamlin alley before you get to Ridgeway on each alley and one across the street in the other alley by the church.” JACKSON continued, “Both alleys, both the alleys over there am shit” LONGSTREET then instructed JACKSON, “Twin (referring to one of the WALLACE twins) and them just got to move to another block, ahh try Avers or even try Ridgeway...” Later in the conversation JACKSON told LONGSTREET, “I am tellin you they got them on every corner over there, I just left from over there two in the alley, the Hamlin alley, behind your house...I only seen them put one right there. They took the one off Lawndale, that pole, they put it on Hamlin....Off Lawndale. How they goin stop Lawndale? Lawndale is jukin.”

84. In the preceding call, LONGSTREET and JACKSON are discussing the movement by the Chicago Police Department of cameras from Lawndale to Hamlin. Basically the cameras were moved to watch the drug dealing of LONGSTREET’s organization. JACKSON told LONGSTREET that the drug spot of ANTONIO JOHNSON and TREMAINE GRAY are doing a lot of business (“jukin”) because the cameras are no longer near their drug location on Lawndale and Thomas.

85. On May 10, 2005, at approximately 1:48 p.m., (Call 1668), Target Telephone 2 received a call from 773-722-2084, from SADIE WILLIS.<sup>23</sup> After approximately one minute of

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<sup>23</sup>Information establishing that WILLIS is the user of this phone is set forth below.

conversation between LONGSTREET and WILLIS, WALLACE, who identified himself as “Scarface,” replaced WILLIS and got on the phone. WALLACE advised LONGSTREET that he was down to his last “lick” (narcotics). WALLACE and LONGSTREET discussed the police cameras that were placed on the Hamlin drug spot. LONGSTREET asked WALLACE whether “Twin” (Individual B) found a way to work around the police cameras.

86. On May 10, 2005, at approximately 3:28 p.m., (Call No. 1688) Target Phone 2 called 773-628-3850. LONGSTREET asked JACKSON, “Hey how’s it been doin?” JACKSON replied, “It’s gone, I am doin somethin else.” JACKSON continued, “Right now as we speak, I just walked in and got all the money.” LONGSTREET said, “Oh ok, so it’s been all right then huh?” JACKSON then informed LONGSTREET, “Yeah we have to go over there, we all goin sit over there, me, Icey, Twin, we goin move off Avers and move on down the other end...it’s move alright.” LONGSTREET was asking about how the drugs were selling that he had gotten from JOHNSON and GRAY (as set forth in detail below in Part B.2) because previously customers had complained about the quality of JOHNSON and GRAY’s drugs. JACKSON told LONGSTREET that the drugs were selling well and that they had sold all the drugs (“It’s gone”) and had the drug proceeds. JACKSON then said that they are moving due to the police presence on Hamlin.

**d. *Examples of Calls Between LONGSTREET and Suppliers***

**Examples of Calls Between LONGSTREET and SADIE WILLIS and ABOSEDE ANIBABA**

87. The calls set forth below show LONGSTREET discussing heroin deals with supplier ANIBABA and broker WILLIS. The calls also establish the drug deal that took place on April 27, 2005, in which LONGSTREET purchased 100 grams of heroin from ANIBABA for \$8500, which was later seized by law enforcement officers from ANIBABA.

88. On April 22, 2005, at approximately 7:37 p.m., Target Telephone 2 received a call from (773) 722-2084, used by SADIE WILLIS.<sup>24</sup> LONGSTREET told WILLIS that he had “the

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<sup>24</sup>Information establishing SADIE WILLIS as the user of 773- 722-2084 and 773-355-9278 includes the following. The telephone number 773- 722-2084 is registered in the name of Sadie Willis at 3013 West Warren in Chicago. On April 27, 2005, as discussed in greater

money for that thing” (money for the purchase of narcotics). LONGSTREET asked WILLIS to get him “50 or 100 so he can get busy” (50 or 100 grams of a narcotic, most likely heroin, so that he can begin selling it). They discussed meeting so that LONGSTREET could give WILLIS the money.

89. On April 24, 2005, LONGSTREET, using Target Telephone 2 and SADIE WILLIS, using (773) 722-2084 had a number of calls discussing narcotics provided by WILLIS (who was acting as a broker for ANIBABA) to LONGSTREET. In one call intercepted at approximately 5:53 p.m., WILLIS asked LONGSTREET how much she gave him. LONGSTREET responded “20” (grams of a narcotic, most likely heroin) and WILLIS replied that she gave him “24” (grams of a narcotic, most likely heroin). LONGSTREET and WILLIS got into an argument regarding whether it was 20 or 24. In a follow up call intercepted a few minutes later at approximately 6:01 p.m., they continued arguing and LONGSTREET stated that he “has a couple hundred grams of that shit” (couple hundred grams of heroin) so why would he need to lie about it. At approximately 7:15 p.m., LONGSTREET and WILLIS spoke again and LONGSTREET said that he did not weigh it and “she” (believed to be a reference to the ANIBABA) might be right. LONGSTREET and WILLIS then discussed cutting up the stuff and mixing it up with other things and breaking up pills to cut (the processing of narcotics for distribution). LONGSTREET then told WILLIS to call “her” (ANIBABA) and tell “her” he has eight stacks and see if she can give him 100 (LONGSTREET wants WILLIS to call the source so that he can purchase 100 grams of a narcotic, most likely heroin,

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detail below, investigators intercepted calls between LONGSTREET and 773-722-2084 during which the caller believed to be WILLIS told LONGSTREET that the “Nigerian” (later determined to be ANIBABA) was at the house. Surveillance then observed LONGSTREET arrive at 3013 West Warren. Additionally, on April 25, 2005, pursuant to intercepted telephone calls between 773- 722-2084 and LONGSTREET, surveillance was initiated at 3013 West Warren. At approximately 3:36 p.m., surveillance observed LONGSTREET arrive in a vehicle with PAUL PATTERSON in the front passenger seat. At approximately 3:40 p.m., (Call 786) LONGSTREET using Target Phone 2 called 773-355-9278 and told a female individual believed to be SADIE WILLIS to come outside and get the money. Surveillance observed SADIE WILLIS exit the gangway at 3013 W. Warren. Investigators have compared the female voice intercepted on calls from 773-355-9278 and identified it as the same voice in calls intercepted from 773-722-2084.

for \$8000. One hundred grams is a common sale amount of heroin. LONGSTREET is trying to get that amount for \$8000, which would be a very good price at \$80 a gram).

90. In a follow up call at approximately 7:31 p.m., LONGSTREET told WILLIS to call “her” and see what “she” says. WILLIS made a three way call and asked a female individual (later determined to be ABOSEDE ANIBABA)<sup>25</sup> if she can give her a “whole yard, one zero zero for 8” (100 grams for \$8000). ANIBABA responded “85” (countering with \$85 per gram instead of \$80 a gram). LONGSTREET and WILLIS then spoke after ANIBABA was off the line and LONGSTREET said that he would take it. They arranged to meet so that LONGSTREET could bring WILLIS the money.

91. On April 25, 2005, LONGSTREET, using Target Telephone 2, had a number of conversations with WILLIS using (773) 722-2084 regarding a purchase of narcotics. In one call intercepted at approximately 12:37 p.m., LONGSTREET and WILLIS discussed meeting with the female source (ANIBABA) for the drug transaction. LONGSTREET asked WILLIS if “she” was going to “front” him (whether the source was going to supply him with the narcotics on credit) to which WILLIS responded that she had not asked the source about that. LONGSTREET and WILLIS had subsequent calls about the meeting and LONGSTREET wanting the deal to happen before 4:00 p.m., since he could not be out (pursuant to the conditions of his parole) after 4:00 p.m.,. At approximately 10:18 p.m., LONGSTREET called WILLIS and asked what happened to “Nikki” (nickname used by ANIBABA) with regards to the meeting and told WILLIS to let “Nikki” know about his home monitoring situation.

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<sup>25</sup> Investigators have determined that the voice on this call and the subsequent calls referenced below is the voice of ABOSEDE ANIBABA based upon a vehicle stop that was conducted by officers of a woman surveilled from a meeting with WILLIS and LONGSTREET - discussed in greater detail below - who produced a Washington DC drivers license identification in the name of ABOSEDE ANIBABA bearing the woman’s picture. (The officers who executed the stop later compared a photo obtained from Washington DC state records of ABOSEDE ANIBABA and observed it to be the same individual they had stopped.) The officers listened to the voice of the individual they stopped and then compared it to the voice on calls intercepted and have determined it to be the same voice.

92. WILLIS then did a three way call with “Nikki” (ANIBABA) and introduced “Nikki” to LONGSTREET and LONGSTREET explained his home monitoring schedule. LONGSTREET and “Nikki” agreed to meet at noon on Wednesday at WILLIS’s house. LONGSTREET told “Nikki” that he wanted to buy 100 “t-shirts” (100 grams of heroin) and wanted to be fronted the same amount (be provided 100 grams of heroin on credit). “Nikki” said that she would have to check. LONGSTREET and WILLIS continued the conversation after “Nikki” got off the phone. LONGSTREET and WILLIS discussed the proposed fronting arrangement and LONGSTREET stated that he needed the “merchandise” (narcotics) to stock his two new stores (drug spots) and added that he had opened two new stores in the alley and that his name is not on them (two new drug spots that are not yet known to be his).

93. On April 27, 2005, investigators conducting surveillance observed LONGSTREET, WILLIS and a female individual (later determined to be ANIBABA) meet at WILLIS’s residence. Specifically, investigators observed ANIBABA arrive carrying a large plaid purse and then go into an apartment believed to be WILLIS’s at 3013 West Warren in Chicago. At approximately 12:16 (Call 874), Target Telephone 2 called (773) 722-2084 and WILLIS informed LONGSTREET that the “Nigerian” was already at the house. Surveillance subsequently observed LONGSTREET arrive carrying a small bag and go into the apartment. Investigators then observed ANIBABA and LONGSTREET each leave. LONGSTREET was carrying a bag when he left.

94. On April 27, 2005, at approximately 1:09 p.m., (Call No. 875) Target Telephone 2 called (773) 628-3850. LONGSTREET and TEMEKA JACKSON discussed the fact that he was coming over to her residence. During the conversation LONGSTREET asked JACKSON, “Oh your room door locked?” JACKSON replied, “Nope cause I figured you were coming.” JACKSON explained that she had someone staying at her residence to let LONGSTREET in. (LONGSTREET is checking with JACKSON to make sure he can bring over heroin he just obtained from ABOSEDE ANIBABA to JACKSON’S residence on West Division Avenue. Surveillance followed LONGSTREET after he met with SADIE WILLIS and heroin supplier ANIBABA to JACKSON’s



residence and observed LONGSTREET ringing the doorbell on the front gate. LONGSTREET was seen shortly afterward being allowed into the home. A short time later he departed the residence.)

95. Investigators surveilled ANIBABA to the north side of Chicago and stopped her vehicle, stating that they were stopping her due to a broken tail light. Investigators identified the female individual as ABOSEDE ANIBABA from her Washington DC driver's license. (This was later confirmed to be a valid identification through Washington DC records). Investigators released ANIBABA but unbeknownst to ANIBABA seized what is believed to be approximately \$8500 in cash from her purse. Investigators believe this to be \$8500 that LONGSTREET had paid her for 100 grams of heroin based upon the previous calls.<sup>26</sup>

96. At approximately 2:33 p.m., Target Phone 2 called 773-628-3850 (as previously stated used by TEMEKA JACKSON). LONGSTREET told JACKSON, "I'm short anyway (money). I just ah went to them people, them Africans and got a nice size ah hundred of they good shit" (just paid for a hundred grams of heroin from ANIBABA).

97. At approximately 4:42 p.m., Target Phone 2 received a call from (773) 355-9278. WILLIS told LONGSTREET that "the lady who just left the house" got pulled over for a broken headlight and the police robbed her. LONGSTREET stated that that was on her. (It is her problem that the police took the money he had paid her, not LONGSTREET's).

98. At approximately 6:34 p.m., (Call 934), Target Phone 2 called 773-628-3850. LONGSTREET told JACKSON that he had given "8 stacks and five hundred to an African broad" (given \$8500 to ANIBABA). LONGSTREET then told JACKSON when she (ANIBABA) got up north the police stopped her and stole all of the money she had gotten.

99. On April 29, 2005, at approximately 10:42 p.m., (Call 1063) Target Phone 2 received a call from 773-722-2084. During the call LONGSTREET asked WILLIS, "Have you heard from my girl again?" WILLIS asked, "Who?" and LONGSTREET responded, "The African girl"

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<sup>26</sup>Investigators have not yet counted the money due to the fact that the currency is being processed for fingerprints.

(ANIBABA). WILLIS responded by asking LONGSTREET, “Then, is you ready?...Is you ready?” (Is LONGSTREET ready to make another purchase of heroin from ANIBABA.). LONGSTREET responded that “when he was ready” he “would let them know” (meaning he was not going to be rushed by ANIBABA).

100. On May 8, 2005, at approximately 7:46 p.m., Target Telephone 2 (Call 1558) received a call from (773) 722-2084. LONGSTREET told WILLIS that he had been having problems with his “crew” (drug workers) and in getting his “paper” (money owed from drug sales). WILLIS and LONGSTREET then discussed the fact that “Nikki” (ANIBABA) had been threatening WILLIS for \$2000 owed by LONGSTREET from a narcotics purchase. WILLIS and LONGSTREET then conducted a three way call with ANIBABA and LONGSTREET told ANIBABA that he was the one who owed ANIBABA the money. LONGSTREET said that he spent money with her and that he was trying to get rid of “that” (in the process of selling the heroin purchased from ANIBABA). LONGSTREET said he would come back and get “both” of them at one time (more narcotics) and that he would pay her the money tomorrow. LONGSTREET also stated that he had spend “eight-five” (\$8500) with her and could not believe that she was “tripping” about two more (\$2000).

**Examples of Calls Between LONGSTREET and PAUL PATTERSON**

101. The calls set forth below demonstrate that PATTERSON has in the past supplied LONGSTREET with heroin. On one such occasion, LONGSTREET’s people did not prepare the heroin properly for distribution. PATTERSON offers to obtain more heroin for LONGSTREET and prepare the heroin for him.

102. On April 25, 2005, at approximately 2:16 p.m., (Call No 754) Target Phone 2 received a call from 773-234-9986, used by PAUL PATTERSON.<sup>27</sup> LONGSTREET told

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<sup>27</sup>Information linking PAUL PATTERSON to telephone numbers 773-234-9986 and 773-972-6633 includes the following. PAUL PATTERSON has been identified by Chicago Police officers who have spoken with him for the past fifteen years while conducting their official duties. These officers recognize PATTERSON as the voice speaking on 773-234-9986 and 773-972-6633 to LONGSTREET on Target Phone 2.

PATTERSON that he is going to come pick him up “cuz me and you got to go over there on sixteenth. We fittin to open up” (they are going to ride over to 16<sup>th</sup> street where LONGSTREET was going to open a drug spot).

103. On April 29, 2005, at approximately 12:45 p.m., (Call No. 1005) Target Phone 2 received a call from 773-972-6633, also used by PAUL PATTERSON. PATTERSON asked LONGSTREET, “You know that stuff I gave you?” LONGSTREET responded affirmatively. PATTERSON then said that he had two more of them “little packs” and someone must have stole them (someone had stolen two packages of drugs, most likely referring to heroin, from him). PATTERSON said there was a person hanging around his apartment like he was trying to get in. LONGSTREET then suggested he (PATTERSON) should leave some bad stuff around so that the next time someone comes in and takes a package they snort it and their head blows off (next time someone does that they should teach them a lesson by putting bad drugs or something else in order to teach the thief a lesson).

104. On May 4, 2005, at approximately 11:23 am, Target Phone 2 received a call from 773-972-6633. LONGSTREET told PATTERSON that “Sadie” (WILLIS) hooked him up with “some Nigerians”(connected with some Nigerians suppliers).

105. On May 9, 2005, at approximately 5:02 p.m., (Call No. 1614) Target Phone 2 received a call from 773-972-6633. PATTERSON asked LONGSTREET if he (LONGSTREET) ever did anything with that stuff he (PATTERSON) gave him (sold the heroin that PATTERSON had supplied him). LONGSTREET said that he tried to do something with it but he thinks he (LONGSTREET) mixed the drugs wrong and it was not all that (tried to sell the heroin but LONGSTREET did not mix the heroin properly). LONGSTREET said that they should have listened to “Paul” (meaning PATTERSON) and put only “one onion on it” instead of one and a half (put only one ounce of cutting agent on the heroin instead of one and a half ounces). PATTERSON then told LONGSTREET that he would get some more (heroin) and then do it for them (mix it properly). LONGSTREET stated that he should have put “one onion” (one ounce) it like “Paul”

(PATTERSON) said and “they” (LONGSTREET’s people) put “one and a half” on it (one and a half ounces).

106. On May 18, 2005, at approximately 6:32 p.m., (Call No. 2099) Target Phone 2 called 773-972-6633. LONGSTREET and PATTERSON talked about being players. LONGSTREET also told PATTERSON that he paid a “good old buddy” “ten” today but owes him “forty three stacks” (likely referring to an earlier meeting with ANTONIO JOHNSON, as set forth below in Part B.2, and having paid JOHNSON an amount of money, possibly \$1000, but owing him more money, possibly \$4300).

### **3. Undercover purchases of narcotics from LONGSTREET drug spot at Division and Keeler**

107. Set forth below is a summary of the undercover buy conducted on a drug spot controlled by LONGSTREET at Division and Keeler.

108. On May 13, 2005, an undercover officer approached an individual on the street at the location of Division and Keeler, a drug spot personally operated by LONGSTREET. The undercover officer approached an individual (later identified). The undercover officer asked the individual for “blows” (heroin). The individual then asked the undercover officer how many he wanted. The undercover officer replied three. The individual then informed the undercover officer, “We got saw bucks” (ten dollars) The undercover officer stated he had \$30.00. The individual then turned to a second individual (later identified) and asked, “You got six?” The other individual then shook his head no. The first individual then told the undercover officer (who was on bike), that he could use the undercover officer’s bike and go get the drugs. The undercover officer then gave the individual his bike.. The undercover officer then followed the second individual as he walked northbound on Keeler. After a brief time the first individual returned to the area and met the undercover officer at approximately 1210 N. Keeler where he handed a clear plastic bag which contained numerous ziplock packets of white powder to the second individual. The undercover officer then handed \$30.00 to the first individual. The first individual opened the bag received from the second individual, removed several ziplock packets and handed to the undercover officer six of those

packets which were later determined to contain a substance that field tested positive for the presence of heroin.

**B. Drug Trafficking of ANTONIO JOHNSON**

**1. Information obtained from cooperating witnesses**

**a. *Information Provided By CW5 Regarding JOHNSON's Narcotics Operation On the West Side of Chicago***

109. CW5 worked in JOHNSON's drug operation. CW5 identified a photograph of ANTONIO JOHNSON as the person known to CW5 as ANTONIO JOHNSON. CW5 was initially interviewed by law enforcement in January 2005.<sup>28</sup>

110. CW5 stated that JOHNSON is a member of the New Breeds street gang CW5 said that a person who he/she knows as "Jamo" is the only person still very close to JOHNSON. (CW5 identified a photo of TREMAINE GRAY as the person known to CW5 as "Jamo.") "Jamo" controls the organization when JOHNSON is out of town, which is often according to CW5.

111. CW5 initially started working for JOHNSON in 2003 when he/she would assist in the packaging of heroin for street sales. CW5 was paid approximately \$1,500 a week for packaging the drugs. According to CW5, the workers would usually prepare 150 grams of heroin for street sales at one session. The process usually took about seven hours and would be done whenever the street locations ran down to \$1,000 worth of product. The heroin would be placed into plastic bags and then into dog food bags. CW5 stated that he/she believes that JOHNSON has people "shaking" (preparing the heroin for street sale by adding a cutting agent) up to five times a week. The workers would then prepare 12 bags of narcotics in a pack for "dubs" (locations that sell twenty dollar bags

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<sup>28</sup> CW5 is a drug dealer who has a number of arrests including retail theft, aggravated battery to a police officer and possession of a controlled substance but no convictions. Information provided by CW5 was consistent with other interviews of other individuals conducted by investigators, surveillance conducted by law enforcement, undercover purchases of narcotics on spots controlled by JOHNSON by law enforcement officers, the heroin seizure from GRAY and BYNDOM and information gathered during the wiretap. CW5 is not currently cooperating. CW5 made statements against penal interest. No promises were made to CW5 in exchange for the information provided.

of narcotics) or 13 bags in a pack for “sawbuck” locations (locations that sell ten dollar bags of narcotics). CW5 stated that either JOHNSON or “Jamo” directs the group.

112. CW5 provided information concerning the location where JOHNSON and members of his organization are currently (at the time of the interview in January 2005) “going to the table” (meaning they are preparing heroin for street sales) at a second floor apartment near the intersection of Peterson and Talman Avenues in Chicago. CW5 stated that he/she participated in the heroin preparation process for JOHNSON’s drug trafficking operation at that apartment at least ten or twelve times during a six month period in 2004. CW5 identified a photograph of the 6106 N. Talman as the apartment building and stated that the entrance was on Glenlake (the address of which is 2634 W. Glenlake).<sup>29</sup>

113. CW5 said that he/she has observed JOHNSON meet at JOHNSON’s apartment with an unknown male at JOHNSON’s apartment, who was JOHNSON’s supplier of heroin. CW5 said that JOHNSON would secrete kilograms of heroin in laundry soap boxes, by removing some soap, adding the kilogram of heroin, and then adding back some of the soap to hide the contraband. The soap box would then be resealed using glue, and transported to another location. CW5 admitted to assisting in the transportation of the heroin between ten to twelve times during 2004. CW5 estimated that JOHNSON received one or two kilograms of heroin every other week during this time period. CW5 further explained that members of JOHNSON’s organization were given “chirp” phones (with walkie talkie capability), and would be contacted by the phones when it was time to prepare heroin for resale.

**b. *Information Provided By CW6 Regarding JOHNSON’s Narcotics Operation On the West Side of Chicago***

114. CW6 worked in JOHNSON’s drug trafficking organization transporting money. CW6 positively identified a photograph of ANTONIO JOHNSON from a photo lineup of similar

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<sup>29</sup>On February 15, 2005, as discussed in greater detail below, TREMAINE GRAY and MARK BYNDUM were arrested with 1000 bags of heroin after leaving the apartment building at 2634 W. Glenlake.

individuals as the person he knew as ANTONIO JOHNSON. CW6 began cooperating with law enforcement in August 2004.<sup>30</sup> CW6 first met JOHNSON in 1997 when they were neighbors in Iowa. CW6 and JOHNSON became friends and JOHNSON asked CW6 to take trips with him as his driver. CW6 and JOHNSON traveled to Memphis, Tennessee, St. Louis, Missouri, Indianapolis, Indiana, North and South Carolina, Houston, Texas, and Miami, Florida. Once they reached their destination, CW6 would wait in a hotel room while Johnson left for a few hours. CW6 never witnessed any drug transactions.

115. In 2004, CW6 began making trips for JOHNSON. On the first trip, CW6 drove a car he/she picked up from JOHNSON in Bellwood, Illinois to Houston, Texas and left it to be picked up by an unknown individual who returned the following day and gave the car to CW6. CW6 drove the car back to Bellwood. During this trip, JOHNSON followed CW6 in another vehicle. In March 2004, JOHNSON asked CW6 to make a second trip to Houston, Texas (using the same vehicle as on the previous Texas trip). On this trip, CW6 traveled alone. CW6 was stopped and was in possession of approximately \$174,900 vacuum sealed packages secreted in the rocker panels of the vehicle. CW6 was charged and as a result of this arrest and other law enforcement action began working as a cooperator with federal law enforcement.

116. CW6 has also stated that he/she has purchased cocaine from JOHNSON on several occasions, from ounces up to kilogram quantities. CW6 further stated that he/she has traveled to Chicago on approximately six occasions to assist JOHNSON in packaging heroin.

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<sup>30</sup>CW6 has one 1996 conviction for burglary and theft. CW6 was initially interviewed by law enforcement in August 2004 when he/she began cooperating with the DEA after being arrested and charged in a federal drug case. CW6 is cooperating in that federal drug case in the hopes of receiving a reduced sentence. Information provided by CW6 was consistent with other interviews of other individuals conducted by investigators and information gathered during the wiretap.

## 2. Information Obtained from Wiretap Interceptions

### Examples of Calls Between LONGSTREET and TREMAINE GRAY or ANTONIO JOHNSON Regarding LONGSTREET's Purchase of Heroin From JOHNSON

117. The calls set forth below demonstrate that JOHNSON and GRAY are supplying LONGSTREET with heroin. The calls reflect a heroin deal that likely took place in April as well as a deal that recently took place during the week of May 16, 2005.

118. On April 24, 2005, at approximately 6:22 p.m., (Call No. 716) Target Phone 2 called 773-596-6719, a phone number used by TREMAINE GRAY.<sup>31</sup> LONGSTREET told GRAY, "I got a hold of some of those old Nigerian people...I've been getting a little demonstration from them and hooking it up...fixing it up..." (LONGSTREET is getting heroin from some Nigerian suppliers). GRAY asked, "Is the number good?" (Is it a good price?) In response, LONGSTREET inquired, "You want some of that?" GRAY responded, "If the number (price) is good." LONGSTREET informed GRAY that he was paying "...eighty five for a dollar" (paying \$8,500 for an 100 grams of heroin).

119. On April 25, 2005, at approximately 2:51 p.m., (Call 763) Target Phone 2 received a call from 773-596-3328 (which as previously stated is a number used by ANTONIO JOHNSON). LONGSTREET talked to JOHNSON about the stuff (heroin) he (LONGSTREET) was showing "Jamo" (GRAY). LONGSTREET stated, "No, that I showed him that. That's somethin that I got from the Nigerians, I was showing him that." (LONGSTREET had shown heroin he had purchased from Nigerian individuals).

120. On April 27, 2005, at approximately 3:10 p.m., (Call No. 892) Target Phone 2 received a call from 773-596-6719. LONGSTREET told GRAY, "Showed you the thing I had been

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<sup>31</sup>Information linking TREMAINE GRAY to 773-596-6719 includes the following. On April 27, 2005, at approximately 3:10 p.m., (Call No. 892) LONGSTREET using Target Phone 2 called telephone number 773-596-6719. LONGSTREET greeted the other person as "What up Jamo?" "Jamo" is known to be a nickname used by TREMAINE GRAY according to CPD gang intelligence records as well as information obtained during the course of this investigation (statements made by MARK BYNDOM) set forth in greater detail below.



getting, I was telling I had just started messing with some Africans” (discussing heroin that LONGSTREET had obtained from ANIBABA).

121. On April 27, 2005, at approximately 6:43 p.m., (Call No. 934) Target Phone 2 called 773-628-3850. JACKSON told LONGSTREET that “Jamo” is the “biggest he ever been in his life” (“Jamo” is earning the most money now that he ever has based on the volume of drugs he is selling).

122. On May 11, 2005, at approximately 6:21 p.m., (Call No. 1727) Target Phone 2 received a call from 773-640-7093. LONGSTREET told JOHNSON that he had “receipts” for JOHNSON. (LONGSTREET was ready to pay JOHNSON for heroin JOHNSON had fronted - provided on credit - to LONGSTREET.)

123. On May 18, 2005, at approximately 1:17 p.m., (Call No. 2063) Target Phone 2 received a call from 773-640-7093. JOHNSON told LONGSTREET that he was in the neighborhood but had just gotten stopped by the police because his plates did not match the vehicle he was driving. (CPD officers - not working on this investigation - had stopped JOHNSON because the rental vehicle JOHNSON was driving did not match the car to which the plates were registered.) They arranged to meet.

124. A short while later, at approximately 1:24 (Call No. 2065) Target Phone 2 received a call from 773-640-7093. JOHNSON told LONGSTREET that he was out front of the home at 3013 West Warren (the residence of SADIE WILLIS). Surveillance officers subsequently observed LONGSTREET sitting in JOHNSON’s Nissan Altima. At approximately 1:33 p.m., surveillance observed TREMAINE GRAY walk across the street and get into JOHNSON’s car as well. A short while later at approximately 1:47 p.m., surveillance observed LONGSTREET get out of the vehicle with a red bag type object. Surveillance then observed LONGSTREET walk into the gangway that leads to the basement apartment of SADIE WILLIS. GRAY also got out of JOHNSON’s car and got into his car and left. JOHNSON left as well.

125. At approximately 2:04 p.m., surveillance observed SADIE WILLIS exit the gangway that leads to her basement apartment and toss a bundle of clothes into a Toyota. WILLIS then left

the Toyota, with an unknown object in her hand, and returned to the gangway that leads to her apartment. At approximately 2:07 p.m.(Call 2070), Target Phone 2 called 773-596-3328. JOHNSON asked LONGSTREET, “You gonna shake that raw right” (asking LONGSTREET about processing the heroin - adding a cutting agent - without first diluting the narcotics). LONGSTREET replied, “yeah.”

126. It appeared that JOHNSON and GRAY met with LONGSTREET to conduct a heroin transaction. LONGSTREET likely obtained more heroin from JOHNSON and GRAY after having paid them what was owed from the previous transaction. LONGSTREET then likely went to WILLIS’s apartment to process the heroin.

### **3. Seizure of Heroin from TREMAINE GRAY and MARK BYNDOM**

127. On February 15, 2005, law enforcement officers recovered more than 400 grams of heroin from TREMAINE GRAY and MARK BYNDOM. Surveillance officers saw the two individuals leave the apartment building at 2634 W. Glenlake. (As stated above, this apartment building was identified by CW5 in late January 2005 as the apartment building being used by JOHNSON’s operation - directed by GRAY - to prepare and package narcotics for sale.) Officers recognized one of the individuals as GRAY was carrying a white plastic grocery bag that contained boxes consistent with the shape of saltine boxes. Another CPD informant interviewed in January 2005 had said that he/she had purchased heroin from “Jamo” who would deliver it in a sealed cracker box.<sup>32</sup>

128. Officers observed GRAY place the white grocery bag in the back seat of a car. GRAY and the other individual then got into the car. Officer followed them and subsequently stopped the vehicle. The driver of the vehicle was identified as MARK BYNDOM. After being stopped, GRAY began muttering “Oh fuck. Oh fuck.” Officers observed the white plastic grocery

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<sup>32</sup>That informant stated that “Jamo” had just switched to using saltine boxes from dog food bags. CW5 had also stated that JOHNSON’s operation had used dog food bags to conceal the heroin.

bag with a red saltine box inside in the back seat. BYNDOM and GRAY both denied ownership of the bag. BYNDOM yelled, "Those ain't my motherfucking crackers." GRAY continued muttering and then said, "I don't know what fucking crackers you are talking about."

129. Officers recovered the plastic bag and found that it did in fact contain two saltine boxes. The boxes contained several clear knotted bags which were later determined to contain approximately 400 grams of a substance that tested positive for heroin that was packaged in tinfoil. Both BYNDOM and GRAY were placed into custody and orally advised of their Miranda rights. Once back at the station, officers recovered from BYNDOM's underwear an additional 39 tin foil packets which were later determined to contain approximately 5.1 grams of a substance that tested positive for heroin.

130. BYNDOM admitted that he packages heroin for the last year and a half and has also now begun transporting it. He usually packages the heroin three times a week at the apartment at 2634 W. Glenlake for \$1500. He said that the heroin would be waiting for him (already "shaken" - cutting agent added - at another location unknown to him) when he got there and that it took him six hours to package it. He said that on this particular day he filled 1040 packages with heroin and then placed them into bags containing wither 130 or 25 bags of heroin each. According to specific instructions he received from "Jamo," some of the bags were placed in a saltine box for sale at Karlov and Washington and some were placed into a box for sale at Thomas and Drake. BYNDOM said that he "stole some work," referring to the 39 tinfoil packages of heroin recovered from his underwear.

131. BYNDOM at the time of his arrest said that another individual (Individual A) was his boss for whom he packages heroin and that "Jamo" was with him for security. However, on March 1, 2005, BYNDOM contacted officers "to give them more information." Officers orally advised BYNDOM a second time of his Miranda rights before he made the statements. BYNDOM during his subsequent statement said that GRAY is his boss and he has packaged heroin for GRAY approximately three times a week for the last year and a half. He stated that GRAY supervises the

packaging and distribution of heroin in the areas of Lawndale, Thomas and Ridgeway, Augusta and Central Park, Karlov and Washington and Karlov and West End. He also said that [Individual A] is not in charge and that he lied initially about GRAY out of fear because GRAY is so powerful.

**4. Undercover purchases of narcotics on drug spots controlled by ANTONIO JOHNSON**

132. Set forth below are undercover purchases that were made on drug spots controlled by JOHNSON at Ridgeway and Thomas, Lawndale and Thomas, and an alley behind Lawndale between Lawndale and Monticello.

133. On May 5, 2005, an undercover officer approached an individual on the street at the corner of Ridgeway and Thomas, a drug spot controlled by ANTONIO JOHNSON. The undercover officer asked the individual if he was “working” (selling narcotics). The individual asked the undercover officer what he needed. The undercover officer replied, “Five blows” (heroin). The individual then instructed the undercover officer to drive around the block and park on Ridgeway, south of Thomas. Upon relocating, the undercover officer observed another individual (later identified) in the front yard at 1047 N. Ridgeway bending down and retrieving something from the ground. The second individual then walked to the sidewalk and gestured for the undercover officer to park. The second individual approached the undercover vehicle and handed the undercover officer five tinfoil packets, later determined to contain a substance that field tested positive for heroin, in exchange for \$50.00. Following the exchange, the undercover officer asked the second individual how much for a “jab” (a package containing a certain number of tinfoil packages of heroin). The second individual replied two hundred and twenty (\$220.00). The undercover officer asked how many are in a “jab” and the second individual replied “twenty six” (packets of heroin).

134. On May 12, 2005, an undercover officer approached an individual on the street at the location of Lawndale and Thomas, a drug spot controlled by ANTONIO JOHNSON. The individual was standing on Thomas at the east alley of Lawndale. The undercover officer asked the individual for two “blows” (heroin) and then followed the individual into the alley to approximately 1057 N.

Lawndale. The undercover officer then handed the individual \$20.00 in exchange for two foil packets of a substance that field tested positive for the presence of heroin.

135. On May 14, 2005, at approximately 8:35 am, an undercover officer approached an individual in the alley at the location of 1030 N. Lawndale, a drug spot controlled by ANTONIO JOHNSON. The individual delivered two foil packets of a substance that field tested positive for the presence of heroin in exchange for \$20.00. At approximately 8:46 am another undercover officer approached the same individual in the alley at 1030 N. Lawndale. The individual again delivered two foil packets of a substance that field tested positive for the presence of heroin in exchange for \$20.00.

### **C. Drug Trafficking of ANTHONY SUTTON**

#### **1. Information obtained from cooperating witnesses**

##### **a. *Information Provided By CW1 Regarding SUTTON's Use of Vehicles To Transport Narcotics***

136. CW1 installs trap compartments in vehicles for SUTTON. CW1 has provided information to law enforcement about SUTTON's vehicles. CW1 was first debriefed by law enforcement in 1998.<sup>33</sup>

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<sup>33</sup> CW1 has no previous convictions and no known gang affiliation. Law enforcement first debriefed CW1 in approximately August 1998. At that time CW1 admitted that he/she installed secret "trap" compartments inside of vehicles. (A trap compartment is an electronically operated compartment used to transport weapons, drugs and money.). CW1 has been paid by law enforcement for his information and active cooperation with law enforcement. Information provided by CW1, and the installation of tracking devices in vehicles based on information from CW1, resulted in the following seizures: ten kilograms of cocaine in March 2000; two kilograms and one handgun in November 2001; three kilograms cocaine in March 2002; about \$83,000 in U.S. currency in April 2002; about \$18,200 U.S. currency and one handgun in January 2003; about \$20,000 U.S. currency and one handgun in May 2003; and about \$126,000 U.S. currency in January 2004. Also in October 2003, after SUTTON brought an individual to CW1 for the purpose of having CW1 equip a vehicle with trap compartments, law enforcement officers seized about 880 grams of "crack" cocaine, two firearms, and approximately \$10,000 U.S. currency from that individual.

137. On August 7, 2004, CW1 informed law enforcement that SUTTON owned a 1995 dark blue GMC van bearing vehicle identification number (VIN)1GDEG25K2SF557382.<sup>34</sup> CW1 stated that he/she had rigged the van with a trap compartment into the front ceiling of the van per SUTTON's request. CW1 said that the compartment was capable of holding several kilogram packages of cocaine. CW1 related that ANTHONY SUTTON would utilize the trap compartment to transport drugs. Physical surveillance confirmed that SUTTON used this vehicle, and it was observed parked in front of 536 N. Lombard, Oak Park, SUTTON's residence. Illinois Secretary of State records confirmed that the plate on the van was determined that the plate number was registered to ANTHONY SUTTON at 3938 W. Lexington, Chicago (another address previously used by SUTTON).

138. CW1 told law enforcement that on or about December 14, 2004, SUTTON delivered a maroon 1500 GMC conversion van to CW1 so that CW1 could install a trap compartment installed. CW1 also told law enforcement that the trap was in fact installed. On or about December 22, 2004, investigators placed a tracking device on that vehicle. During December 2004, surveillance observed SUTTON in that vehicle in the vicinity of the 900 block of Hamlin (the area of Iowa and Hamlin) and data from the tracking device repeatedly placed the vehicle in that area.

139. CW1 also advised investigators that SUTTON drove a 1996 red, four door Ford Taurus passenger car bearing VIN 1FALP52UOTG109713 on a regular basis. Although the Secretary of State records pertaining to this vehicle reflected a different owner, physical surveillance confirmed that SUTTON was using this vehicle, and it was repeatedly observed parked at or near 536 N. Lombard, Oak Park, which is believed to be SUTTON's residence. CW1 said that SUTTON dropped it off with CW1 to have a trap compartment installed and told law enforcement that the trap was in fact installed.

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<sup>34</sup> The information originally received from CW1 indicated that the vehicle was a GMC Van. However, visual surveillance by investigators of the vehicle revealed that the van is actually a *Chevrolet* 1500 conversion van.

140. On January 6, 2005, CW1 called telephone number (773) 655-1417 (Target Phone 1) (as confirmed by an agent and observed later in pen register records) which was answered by SUTTON. CW1 had a conversation with SUTTON which was witnessed (but not recorded) by law enforcement. Accordingly, law enforcement was only able to hear CW1's side of the conversation. According to CW1, SUTTON stated in essence that he wanted to install a trap compartment in a station wagon. SUTTON stated that the trap compartment would be used to transport drugs, weapons and money. SUTTON subsequently delivered the station wagon to CW1.

141. On or about January 24, 2005, CW1 informed law enforcement that he/she would be unable to install a trap in the Chevrolet station wagon because of mechanical reasons. CW1 said that after informing SUTTON that the requested trap could not be done by CW1, SUTTON instructed the CW to put the car back together and that he (SUTTON) would retrieve the vehicle at a later date.

142. On February 10, 2005, CW1 called (773) 655-1417 (Target Phone 1) (confirmed as before) which was answered by ANTHONY SUTTON. CW1 had a conversation with ANTHONY SUTTON which was witnessed (but not recorded) by law enforcement. Accordingly, law enforcement was only able to hear CW1's side of the conversation. SUTTON had not yet retrieved the station wagon as of that date. CW1 informed SUTTON that the station wagon needed to be moved because it had been parked in the area too long. CW1 asked SUTTON if he had a new vehicle and SUTTON responded that he would be bringing a van on February 11, 2005. (SUTTON did not bring a van at that time.) CW1 informed SUTTON that he had the necessary parts (for installing a trap) but needed to know how many "CDs" SUTTON wanted it (the trap) to hold. According to CW1, SUTTON replied "You know, about 20." CW1 told law enforcement that "CD's" was a code word for kilograms of cocaine or heroin and that CW1 would use that term when speaking on the phone with SUTTON.

**b. *Information Provided By CW2 Regarding SUTTON's Narcotics Operation at Hamlin and Iowa***

143. As previously stated, CW2 is a member of the Four Corner Hustlers who has worked for SUTTON on his drug spot at Hamlin and Iowa.<sup>35</sup> CW2 stated that based on his/her experience working for SUTTON, he/she knows that SUTTON has the "Twins" (believed to be a reference to WALLACE and Individual B) oversee the day-to-day operation of the drug spot at Hamlin and Iowa. CW2 stated that on occasion SUTTON delivers "rocks and blows" (street term for crack cocaine and heroin) and gives them to "Kenneth" (WALLACE) to resell in the area. CW2 stated that "Kenneth" (WALLACE) usually has a female who resides at 907 N. Hamlin 1st floor hold the "rocks and blows" in her bedroom. CW2 further stated that when that female cannot hold the "rocks and blows," the Twins (WALLACE and Individual B) use another female to hold drugs.

144. CW2 stated that SUTTON drives a dark colored GMC conversion van with tinted windows and on occasion SUTTON uses this vehicle to deliver "rocks and blows" to the area of Hamlin and Iowa. CW2 stated that approximately a week prior to the interview with law enforcement (which took place on November 12, 2004) he/she was standing in the area of the 900 block of North Hamlin when ANTHONY SUTTON arrived driving his vehicle. CW2 stated that SUTTON called him/her over to the vehicle and instructed him/her to get in. Once inside of SUTTON's vehicle, CW2 observed SUTTON manipulating the controls around the steering wheel and a "trap" compartment in the middle of the ceiling began to open. CW2 stated that he/she observed SUTTON reach inside the "trap" and remove a plastic bag containing "rocks and blows." CW2 stated that while this compartment was open he/she observed a "pistol" inside. CW2 stated that SUTTON handed him/her the plastic bag and instructed him/her to "go sell them." CW2 stated SUTTON told him/her that he would return later and SUTTON then left the area. CW2 further stated that SUTTON is known to carry a "pistol" at night when he comes to collect his money.

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<sup>35</sup>Information concerning the reliability of CW2 as well as other information provided by CW2 is set forth above in Part A.1.



**c. *Information Provided By CW4 Regarding SUTTON's Narcotics Operation at Hamlin and Iowa***

145. As stated previously, CW4 is a self admitted Four Corner Hustler.<sup>36</sup> stated that ANTHONY SUTTON sells crack cocaine in the area of Hamlin and Iowa. CW4 stated that SUTTON receives the crack cocaine that he sells already processed and packaged in plastic bags for resale. CW4 also stated that SUTTON sells heroin in the area of Hamlin and Iowa. CW4 further stated that the heroin received by SUTTON is packaged in tin foil and sealed with tape.

146. CW4 further stated that during January of 2004 LONGSTREET was incarcerated and SUTTON ran the drug spot at Hamlin and Iowa. CW4 stated that ANTHONY SUTTON is the only one who is allowed to discuss drugs with RAY LONGSTREET. CW4 further stated that SUTTON is responsible for collecting money made from drug sales at Hamlin and Iowa, and delivering the money to LONGSTREET. CW4 stated that SUTTON, when selling crack cocaine at Hamlin and Iowa, uses a certain individual who CW4 named by name and nickname to oversee his crack cocaine operation. CW4 stated that the individual lives in the basement apartment of 913 N. Hamlin, an address owned by LONGSTREET's family.

**2. Information obtained from wiretap interceptions**

**a. *Examples of Calls Between Sutton and Partner/Customers***

**Examples of calls between SUTTON and partner and customer KARL TERRY**

147. The calls set forth below demonstrate the relationship between SUTTON and partner/customer KARL TERRY. TERRY assists SUTTON in his narcotics trafficking business with the packaging of narcotics for street sales. TERRY also purchases wholesale quantities of cocaine from SUTTON.

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<sup>36</sup>Information concerning the reliability of CW4 as well as other information provided by CW4 is set forth above in Part A.1.

148. On March 9, 2005, at approximately 6:39 p.m., (Call No. 149) Target Telephone 1 called 773-960-0120 used by KARL TERRY.<sup>37</sup> SUTTON informed TERRY that “he needs to go back on 63<sup>rd</sup>” (needed a certain quantity of narcotics, likely 63 grams of crack cocaine). Later in the conversation, SUTTON told TERRY “Yeah, just bring the mother fuckin gym shoes with you” (bring a certain quantity of narcotics). TERRY asked, “Bring the big shoe too?” SUTTON replied, “It’s done?” (the narcotics have been processed and/or packaged for sale). TERRY responded that he was waiting on someone else (possibly waiting for someone to assist in the processing or packaging of the narcotics).

149. On March 10, 2005, at approximately 10:18 am (Call No. 222) Target Telephone 1 called 773-960-0120. SUTTON asked TERRY, “Yeah, you get on top of that?” (Has TERRY begun working on packaging the narcotics?) TERRY responded, “Yeah, you ... bring some plastic too” (plastic for packaging narcotics). SUTTON asked, “Which ones?” TERRY replied, “You know the little baggies” (plastic baggies used for narcotics packaging).

150. On March 16, 2005, at approximately 5:29 p.m., (Call 1211) Target Telephone 1 called 773-960-0120. SUTTON told TERRY he was “trying to get on 18<sup>th</sup> street, you know what I’m saying?” (trying to get a quantity of narcotics, possibly 18 ounces or half a kilogram of cocaine). TERRY responded, “Oh is he? Uh, alright see if you want to you...can uh just slide through.” SUTTON responded, “You telling me I can bring ol’ girl too?” (bring cocaine). KARL TERRY responded affirmatively.

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<sup>37</sup>Information establishing KARL TERRY as the user of telephone 773- 960-0120 includes the following. First, the subscriber to 773-960-0120 is KARL TERRY at 736 N. Lotus, Chicago. Investigators believe that this is an address used by TERRY because, according to CPD arrest reports of prior arrests for TERRY he has listed this as his address. (Currently however TERRY is believed to be residing at 2047 West Adams #101, Chicago.) Second, on April 9, 2005, at approximately 10:35 am (Call No 5193) Target Phone 1 received a call from 773-960-0120 in which the caller left a voice mail message stating “This is Bootsy...” “Bootsy” is a nickname by which investigators know TERRY from previous investigations. Third, on April 8, 2005, surveillance investigators conducted a traffic stop after observing an individual believed to be TERRY driving in an erratic manner. The individual identified himself as KARL TERRY. Investigators have compared the voice of TERRY that they heard during the stop to the voice on calls intercepted either to or from 773-960-0120 and identified TERRY’s voice to be the same as the user of 773-960-0120.

151. On March 19, 2005, at approximately 9:07 AM (Call No.1555) Target Telephone 1 received a call from 773-960-0120. During the conversation, SUTTON told TERRY, "I was callin to see if you have enough ahh...twos to feed them both." TERRY responded, "No I probably need another one." A little further in the conversation TERRY told SUTTON, "Another one was eighteen." (SUTTON is conferring with TERRY about having enough cutting agent to mix with the narcotics TERRY is preparing for distribution.)

152. On March 19, 2005, at approximately 10:24 am (Call No.1563) Target Telephone 1 received a call from 773-960-0120. SUTTON and TERRY discussed meeting in an hour or so. SUTTON stated, "You know what I'm saying so we can go on and get it out of the way, so mother fuckers don't start calling." (SUTTON is telling TERRY that he will come by in an hour so that they can complete the packaging of narcotics before customers start calling for more narcotics.)

153. On March 19, 2005, SUTTON using Target Telephone 1 and TERRY using 773-960-0120 had several telephone calls. At approximately 6:20 p.m., (Call No.1666) SUTTON and TERRY spoke and SUTTON asked TERRY if he was still "working" (preparing the drugs to be sold) and TERRY stated, "No I just got through" (just completed the preparation). At approximately 6:26 p.m., (Call No. 1668) TERRY and SUTTON spoke again and TERRY asked, "want me to size them up" (weigh the drugs out and place them in a container according to SUTTON'S instructions). SUTTON replied, "Yeah you could." TERRY asked SUTTON how he wanted them, and SUTTON replied, "...four sixty threes" SUTTON then told TERRY "the rest of um, take em out south...go in the hundreds" (instructions for dividing the drugs). At approximately 7:05 p.m., (Call No. 1672) SUTTON called TERRY and asked, "Set to go?" TERRY responded, "Alright here I come" (indicating that the narcotics were ready and SUTTON and TERRY were going to meet).

154. On March 25, 2005, at approximately 8:09 p.m., (Call No. 2738) Target Telephone 1 received a call from 773-960-0120. TERRY asked SUTTON, "you got rid of that lick already?" (whether SUTTON has sold a quantity of narcotics). SUTTON responded, "Halfway" (sold half the

quantity TERRY was asking about). TERRY sounded disappointed and then explained that he had somebody “on line” (had someone who wanted to purchase the narcotics).

155. On March 29, 2005, at approximately 11:16 am (Call No 3151) Target Telephone 1 received a call from 773-960-0120. SUTTON informed TERRY that, “The boy’s ass is late again, I’m waiting for him to call me back” (explaining that the reason he has not picked up drugs is because he is waiting on his supplier). SUTTON further explained, “...they didn’t have nothing but mother fucker one pair of gym shoes, so I was like fuck it. It makes no sense to me to keep running back and forth...” (SUTTON’s supplier only had a certain amount of narcotics – one pair of gym shoes – and it was not worth his travel time for that amount). Later on in the conversation, TERRY says, “I’m waiting on you dog.” (TERRY is waiting on SUTTON to be supplied so that they can prepare the drugs for resale.)

156. On April 11, 2005, at approximately 1:00 p.m., Target Telephone 1 received a call from 773-960-0120. SUTTON informed TERRY that “dude” is waiting for his “cousin” (explaining why he has not yet been resupplied with drugs). SUTTON then stated, “Shit, we going shit get some cars washed today though” (SUTTON believes that they are going to obtain drugs to prepare and sell). some TERRY responds, “Alright, so you think it’s be for sure?” SUTTON responds, “Yeah, yeah.”

157. On May 7, 2005, at approximately 2:54 p.m., (Call No 218) Target Phone received a call from 773-960-0120. TERRY asked SUTTON, “What’s up with your people” (what is going on with his drug source). SUTTON responded, “ Man they on some bullshit, yep ever since the old man’s been gone they’ve been on some straight bullshit...straight up scary shit dog” (things have not been right since ANSELMO ZEPEDA got arrested, set forth in detail below in Part C.2.d).

**Examples of calls between SUTTON and partner and customer CHARLES THORNTON**

158. The calls set forth below demonstrate the relationship between SUTTON and partner/customer CHARLES THORNTON. THORNTON is a partner in SUTTON’s narcotics

trafficking business involved in the finances of the business. THORNTON also purchases wholesale quantities of cocaine from SUTTON.

159. On March 12, 2005, at approximately 2:30 p.m., Target Phone 1 received a call from (773) 616-4833, used by CHARLES THORNTON.<sup>38</sup> THORNTON, who sounded frustrated, asked SUTTON if he “was all the way dead” (completely out of narcotics). SUTTON agreed to call “him” (SUTTON’s supplier) and then call THORNTON back.

160. On March 14, 2005, at approximately 3:35 p.m., (Call No. 889) Target Phone 1 received a call from (773) 616-4833. CHARLES THORNTON called ANTHONY SUTTON and advised him that he “needed a picture to show somebody” (sample of narcotics to show to a potential customer). SUTTON told THORNTON that he had to “go grab it” (pick up the narcotics). SUTTON informed THORNTON that “they were looking for the old receipts” (his supplier was asking about money that was owed to the supplier from a prior purchase of narcotics). THORNTON asked, “From the three?” (inquiring as to whether SUTTON owed money from a particular quantity of narcotics previously purchased). SUTTON affirmed and stated that he now “owed him for five” (owed his supplier money for a quantity of narcotics).

161. On April 1, 2005, at approximately 2:44 p.m., Target Phone 1 received a call from (773) 616-4833. THORNTON told SUTTON that he was on his way and that he needed to grab “three” (\$3000) instead of “twenty-five” (\$2500) and indicated that he was getting money together for someone’s bond.

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<sup>38</sup>Information establishing CHARLES THORNTON is the user of 773-616-4833 and 773-610-1813 includes the following. First, telephone number 773-616-4833 is subscribed to CHARLES THORNTON at 742 N. Latrobe. According to CPD documentation, including arrest reports of THORNTON family members, this residence belongs to the THORNTON family. Second, on March 15, 2005, at approximately 2:26 p.m., SUTTON called 773-616-4833 and received a voicemail message that stated, “You have reached Charles...” Third, on April 6, 2005, at approximately 10:42 am (Call 1058) SUTTON spoke to THORNTON (who was using 773-616-4833) and they agreed to meet at “Tricia’s house on Lotus.” At approximately 11:10 am, surveillance officers observed CHARLES THORNTON and SUTTON engaged in a conversation on the street near 1829 N. Lotus. (The other phone used by THORNTON, 773-610-1813, is subscribed to Melzennia and Tricia Spencer, at 1829 N. Lotus, Chicago, Illinois.) Investigators have compared the voices of the users of both the above listed phone numbers and determined that they are the same.

162. On April 3, 2005, at approximately 2:47 p.m., Target Phone 1 called (773)616-4833. SUTTON told THORNTON that he needed to talk to THORNTON because “it’s ugly for real” to which THORNTON responded “You talking about dry” (SUTTON has no narcotics). SUTTON told THORNTON that he would discuss it with him when they met. (SUTTON’s supplier, ANSELMO ZEPEDA, has been arrested early that morning as set out below driving with the white conversation van into which SUTTON had a trap installed by CW1.)

163. On April 5, 2005, at approximately 9:31 p.m., Target Phone 1 received a call from (773) 616-4833. THORNTON called and said that he needed “half” of what he “asked for earlier” (half of a quantity of drugs he had previously requested). SUTTON stated that he could “get it” in about fifteen minutes, and they agreed to meet at the “crib” (possibly THORNTON’s residence). In a subsequent call at approximately 10:01 p.m., SUTTON told THORNTON he would be there in a couple of minutes.

164. On April 11, 2005, Target Phone 1 called (773) 616-4833. THORNTON asked SUTTON if he had “heard anything yet” (heard from his drug suppliers) and SUTTON replied that he called “him” and that the “guy” is waiting on the “other guy” to get back to him. (SUTTON’s supplier is waiting on someone else to get back to him before SUTTON can be supplied). THORNTON inquired if that meant “it might not even happen today” (SUTTON might not be supplied with narcotics today), and SUTTON answered affirmatively.

165. On May 8, 2005, at approximately 9:37 p.m., Target Phone 1 received a call from (773) 616-4833. THORNTON asked SUTTON, “You haven’t heard nothing yet?” SUTTON replied, “Suppose to be in the morning” (expects to hear from his supplier in the morning about a new load of narcotics). THORNTON asked SUTTON if he was around and told him that he would “drop off this change” in a little while (drop off money owed to SUTTON from previous narcotics transaction).

166. On May 10, 2005, Target Phone 1 had a number of calls with (773) 616-4833. At approximately 4:37 p.m., THORNTON called SUTTON and asked if there was “anything yet” (had

SUTTON received any narcotics yet to provide THORNTON). SUTTON said that he was working on it and “we just got it today” (had just received the narcotics today and was processing and packaging them for distribution). THORNTON then stated that they “went through it last night” (had sold narcotics previously supplied by SUTTON) and further stated that they “put a camera on the block” (referring to the fact that CPD had moved a blue light camera to Hamlin and Iowa). THORNTON then told SUTTON to call him at his parent’s house. (SUTTON is married to THORNTON’s sister.) In a subsequent call at 11:43 p.m., THORNTON told SUTTON that he has to go to bed as he had court in the morning in Kentucky. (Records confirm that THORNTON has been charged in a case in Kentucky.) SUTTON told THORNTON that he had “one that was already together” (had a certain amount of narcotics prepared). SUTTON then asked about the “tools” (items used to process narcotics) THORNTON told SUTTON that he had the money (money owed SUTTON from a previous narcotics transaction).

**Examples of calls between SUTTON and cocaine customer JOHNNY MCBEE**

167. The calls set forth below demonstrate the relationship between SUTTON and partner/customer JOHNNY MCBEE. MCBEE assists SUTTON in his narcotics trafficking business with the processing of powder cocaine into crack cocaine. MCBEE also purchases wholesale quantities of cocaine from SUTTON.

168. On March 17, 2005, at approximately 6:49 p.m. (Call No. 1346) Target Phone 1 called 815-651-7053, used by JOHNNY MCBEE.<sup>39</sup> SUTTON stated that he was going to be

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<sup>39</sup>Information establishing that JOHNNY MCBEE is the user of telephone numbers 773-287-7066 and 815-651-7053 includes the following. First, telephone number 815-651-7053 is subscribed to Johnny McBEE at 1077 Ronald Drive, Joliet, Illinois. On May 16, 2005, at approximately 11:10 am, an investigator conducting surveillance on the residence of MCBEE at this location knocked on the front door of the residence. An individual, identified as JOHNNY McBEE based on the Illinois State Identification photo of JOHNNY MCBEE, answered the door. The investigator informed MCBEE that he was with the Joliet Electric Company and warned MCBEE that the street may be blocked for the next hour in case McBEE cared to move his vehicle. MCBEE then stated to the officer that he would in fact move his vehicle and inquired as to how he (MCBEE) would go about getting a tree removed. The officer told MCBEE that all he needed was his name. MCBEE stated that his name is JOHNNY MCBEE. The officer then told McBEE that he would put his request through. At approximately 11:27 p.m., surveillance observed JOHNNY McBEE exit the front door of the

“getting with the Hispanic” in the morning (SUTTON will meet with his supplier in the morning). SUTTON asked MCBEE how many “tires” he needed on his car. MCBEE stated that “three got blew out” (MCBEE needs three kilos of cocaine).

169. On March 18, 2005, at approximately 12:55 P.m., (Call No. 1421) Target Phone 1 called 815-651-7053. SUTTON told MCBEE that he had to “put it together” and “call them” (put money together and call his suppliers).

170. On March 19, 2005, at approximately 11:27 AM (Call No. 1591) Target Phone 1 received a call from 815-651-7053. SUTTON told MCBEE that “she” (likely a reference to a female individual who counts money for SUTTON) “forgot to grab” something. MCBEE said that it was “going to be 500” (referring to the amount of money). SUTTON stated that he “did not go through it” (did not count the money himself) and just gave it to “him” (most likely a reference to the supplier to whom SUTTON gave the money without counting it). SUTTON told MCBEE to tell “her” (DAVISON) to leave the money there with her.

171. On March 20, 2005, at approximately 3:14 P.m., (Call No. 1792) Target Phone 1 called 815-651-7053. MCBEE told SUTTON that he would not be there until 5:30 p.m., MCBEE further stated that everything was in the basement and that SUTTON did not even need to bring the “tools” (items used to process and package narcotics). SUTTON stated that he needed to “spin this record” (cook powder cocaine into crack cocaine) but that the landlord had been working in the building all week (preventing SUTTON from being able to cook the cocaine). SUTTON asked MCBEE if he had the “thing to cook the spaghetti” (referring to an item used to cook the powder

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home at 1077 Ronald Drive and walk to a white four door vehicle bearing Illinois plate 6237111. (This plate is registered to a Johnny B. McBee at 1077 Ronald Drive, Joliet, Illinois on a 1990 Mazda 4 door.) While MCBEE was walking to the vehicle an investigator covertly dialed phone number 815-651-7053 and within seconds observed MCBEE raise the phone to eye level and look at the phone. MCBEE then returned the phone to his pocket without answering the call. Investigators have also listened to the voice of the user of telephone number 773-287-7066 and compared it to the voice of the user of 815-651-7053 and determined it to be the same voice.



cocaine into crack cocaine, likely a pot or Pyrex container). MCBEE responded saying that he could get one next door like last time.

172. On March 28, 2005, at approximately 2:53 P.m., (Call No. 2984) Target Phone 1 received a call from 815-651-7053. SUTTON told MCBEE that he talked to “old boy” (referring to a supplier, likely ZEPEDA or OROZCO) last night and that “he” has probably made it here but SUTTON has not talked to him yet (today). SUTTON said that he had talked to the “other guy” (referring to another supplier, likely BARRERA) who said that he had “one movie” (one kilogram of cocaine) sitting around and he was going to “grab that” (get the kilogram of cocaine). SUTTON further stated that the “other guy” is supposed to get a “whole shelf of movies in” (be supplied with many kilograms of cocaine).

173. On April 7, 2005, at approximately 6:55 p.m., Target Phone 1 received a call from 815-651-7053. MCBEE asked SUTTON if he had “some shoes” (narcotics) with him. SUTTON replied that he would go back to the house and get them and stated that he would leave them for MCBEE. (SUTTON had narcotics at his house and was going to go get them and leave them for MCBEE to pick up.)

174. On April 8, 2005, at approximately 3:50 p.m., Target Phone 1 received a call from 815-651-7053. MCBEE asked SUTTON how long it would be and SUTTON responded that he was getting the “clothes” (narcotics) and would be there in about fifteen minutes.

175. On April 9, 2005, at approximately 12:44 p.m., Target Phone 1 received a call from 815-651-7053. MCBEE told SUTTON to “grab [him] two more pairs of nines airforce” (bring a certain quantity, most likely nine ounces, of cocaine for MCBEE).

176. On April 10, 2005, at approximately 1:23 p.m., Target Phone 1 received a call from 815-651-7053. MCBEE asked SUTTON if he had gotten “those shoes” (narcotics) MCBEE said that he needed “two nines and two elevens” (certain quantity, most likely two nine ounce quantities and another quantity of cocaine).

177. On April 11, 2005, at approximately 11:31 am Target Phone 1 received a call from 815-651-7053. MCBEE asked SUTTON for “two size eights, one size nine and one size eleven” (various quantities of cocaine, most likely two one- eighth kilogram quantities, one nine ounce quantity, and another quantity of cocaine).

178. On April 12, 2005, Target Phone 1 had a number of calls with 815-651-7053. At approximately 6:07 p.m., MCBEE called SUTTON. SUTTON told MCBEE that “the guy” was on his way with those “gym shoes” (SUTTON’s supplier is on his way with more cocaine). MCBEE asked “what size” and SUTTON responded “eight on up” (SUTTON will have quantities in amounts of most likely one-eighth kilograms of cocaine and up). At approximately 7:18 p.m., SUTTON called MCBEE and told him that he had gotten in touch with a “new dude” (another supplier). MCBEE suggested that he “grab one” just to be on the safe side (grab a quantity of narcotics from the other supplier just in case the supplier SUTTON was waiting on did not come through). At approximately 8:52 p.m., MCBEE called SUTTON. SUTTON told MCBEE that he was “waiting on the guy” (still waiting on the supplier). SUTTON said that he only had “one jersey” (a type of narcotic) and that he has the “shoes also” (a different type of narcotic) and has “two eights and two nines” (certain quantity of narcotic).

179. On April 13, 2005, Target Phone 1 had a number of calls with 815-651-7053. At approximately 11:00 am MCBEE called SUTTON and asked for “the gym shoes” (cocaine). MCBEE further stated that he wanted to get “three more eights” (three more of a certain quantity of narcotics). At approximately 4:48 p.m., SUTTON called MCBEE and told him that he was with “the guy with the gym shoes” (SUTTON was with his supplier.) MCBEE said that he wanted “two more eights and two tens” and asked if that would make “four”(asking SUTTON to get an additional quantity of cocaine and asking if that would bring the total to a certain quantity of cocaine or a dollar amount). SUTTON acknowledged that it would. A while later at approximately 9:56 p.m., MCBEE called SUTTON. SUTTON told MCBEE that he was going to get the “shoes” (going to pick up the narcotics from the supplier). At approximately 10:20 p.m., SUTTON called MCBEE and MCBEE

told SUTTON that he was in the house on the second floor and SUTTON should come around to the back so MCBEE can see the car.

180. On May 4, 2005, at approximately 9:01 p.m., (Call No. 7221) Target Phone 1 received a call from 815-651-7053. MCBEE asked SUTTON, "Think your guy on line got like some more gym shoes?" (is SUTTON going to be supplied with more cocaine). SUTTON responded, "I can call him." MCBEE then requested, "Call him and see if he got like three pairs of eights" (requesting a quantity of cocaine, most likely three one-eighth kilogram quantities)

**b. *Examples of calls between SUTTON and drug spot manager AARON CLAYTON and workers MATTIE YELVINGTON, MARSHALL SUTTON, KENNETH WALLACE and MICHAEL ERVIN***

181. The calls set forth below demonstrate the relationship between SUTTON and workers CLAYTON, YELVINGTON, MARSHALL SUTTON and ERVIN. CLAYTON is the manager of the drug spot at Hamlin and Iowa. YELVINGTON is a worker on the spot. MARSHALL SUTTON and ERVIN have worked for the spot at points.

182. On March 9, 2005, at approximately 11:52 am (Call No. 69), Target Telephone 1 received a call from 773-218-6569, used by MARSHALL SUTTON.<sup>40</sup> ANTHONY SUTTON complained that he had been calling MARSHALL SUTTON all day long. MARSHALL SUTTON responded that he needed a "six trey/sixty third" (63 grams of narcotics) for dude. At approximately 4:50 p.m., MARSHALL SUTTON called SUTTON again from the same number and told SUTTON that the "thing" from yesterday is still doing the same thing and that the numbers are not right (the narcotics from yesterday are not reacting normally to the processing). At approximately 7:11 p.m.

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<sup>40</sup>Information establishing MARSHALL SUTTON is the user of 773-218-6569 includes the following: First, voice identification of MARSHALL SUTTON by Chicago Police Officers who have interviewed MARSHALL SUTTON as the voice on 773-218-6569, and know him as "Chub." Second, MARSHALL SUTTON has used the nickname "Chub" on a prior Chicago arrest dated December 4, 1995. Third, MARSHALL SUTTON identified himself as "Chub" when calling SUTTON on Target Telephone 1 on March 16, 2005, (Call 1145) from 773-218-6569. Further, SUTTON using Target Telephone 1 placed a call the 773-218-6569 requesting MARSHALL SUTTON to pick up the caller in front of the 011<sup>th</sup> district police station. Surveillance is initiated at 3151 W. Harrison (011<sup>th</sup> district police station) where MARSHALL SUTTON, aka "Chub" arrived in a maroon Pontiac and SUTTON.

(Call No. 158), SUTTON called SUTTON. MARSHALL SUTTON advised ANTHONY SUTTON that he had some white customers lined up at the drug spot on Homan. MARSHALL SUTTON told SUTTON that he was on the “block” (at the drug spot) whenever SUTTON was ready to meet.

183. On March 11, 2005, at approximately 4:57 p.m., Target Telephone 1 received a call from 773-369-0638, a phone used by MATTIE YELVINGTON.<sup>41</sup> During the call, YELVINGTON stated that she got “seven pairs of shoes” from “Aaron” and that she had sold the “six dresses” that she had last night (a quantity of seven units of narcotics from AARON CLAYTON and sold six out of the seven units of narcotics). SUTTON stated that it was “hot” (police were around) on “Avers” (a street on the west side of Chicago near the drug spot operated by SUTTON).

184. On March 12, 2005, at approximately 7:39 p.m. (Call No. 673), Target Telephone 1 received a call from 773-342-6943, a phone used by AARON CLAYTON.<sup>42</sup> CLAYTON told SUTTON “you need to holler at me because I’m dry” (SUTTON needs to bring CLAYTON some drugs for the spot because he (CLAYTON) is out).

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<sup>41</sup>Information establishing MATTIE YELVINGTON as the user of phone numbers 773-369-0638 and 773-235-1029 includes the following. First, on several different dates (March 11, 2005, at approximately 12:55 p.m., (Call No. 363) and March 21, 2005, at approximately 10:35 p.m., (Call No. 2180) for 773-369-0638; and March 14, 2005, at approximately 10:47 p.m., (Call No. 986) for 773-235-6943)) one of those numbers called Target Phone 1 and the caller identified herself as Mattie.. The call went into the voice mail of SUTTON the call went into voicemail and the caller stated, “This is Mattie.” Second, as set forth below, a female individual was arrested selling narcotics to an undercover officer on the drug spot at Hamlin and Iowa and was determined to be MATTIE YELVINGTON.

<sup>42</sup>Information establishing AARON CLAYTON as the user of 773-342-6943 and 773-213-2054 includes the following. During two calls intercepted on Target Phone 1 from 773-342-6943, (Call 8 intercepted March 8, 2005, at approximately 9:40 am and Call 302 intercepted March 10, 2005, at approximately 6:58 p.m.), the caller identifies himself as “E.” CPD gang intelligence records reflect that “E” is a known nickname for AARON CLAYTON. Additionally, as set forth in greater detail below, on March 23, 2005, an investigator surveilling AARON CLAYTON placed a call to 773-213-2054 and observed CLAYTON answer the cell phone at that moment. In a call intercepted on Target Phone 1 on March 25, 2005, at approximately 6:10 p.m., (Call 2715) the caller identified himself as “E,” the same nickname as calls intercepted with 773-342-6943. Additionally, investigators have listened to the voice of the male using both cell phones and identified it as the same voice.

185. On March 12, 2005, at approximately 8:48 p.m., Target Telephone 1 received a call from 773-259-5287. ERVIN told SUTTON that he did not know whose turn it was between “Fridgerator” and “Mattie” and said that “Mattie” needed to get out of her basement and do her job (asking SUTTON whose turn it was to work on the spot and complaining that YELVINGTON was not doing her job).

186. On March 14, 2005, at approximately 11:38 p.m., Target Telephone 1 received a call from 773-259-5287. ERVIN asked SUTTON if “Mattie” was waiting on him (asking if whether YELVINGTON is waiting for narcotics). SUTTON told ERVIN that “Stephanie” has some “potato chips” and that “Aaron” should have some “potato chips” too (“Stephanie” and CLAYTON should have narcotics also). ERVIN stated that they need to get on top of their job to which SUTTON responded, “If its slow, they gone, as soon as you give them some clothes, they gone” (if it is slow on the spot the workers are leaving). CLAYTON then got on the phone and SUTTON told him to give “Mattie” a “little water to drink for the night, about three” (telling CLAYTON to give YELVINGTON a quantity of narcotics to sell).

187. On March 14, 2005, at approximately 1:22 p.m. (Call 868), Target Telephone 1 received a call from 773-218-6569. MARSHALL SUTTON advised SUTTON that he just “hollered at dude” (spoke with a customer) who wanted another “six trey” (63 grams of narcotics). MARSHALL SUTTON told SUTTON that “dude” (customer) is having trouble with his “demo” (preparing the narcotics) to which SUTTON asked whether the “dude” is “twisting it”(mixing the narcotics). MARSHALL SUTTON asked ANTHONY SUTTON to speak to the customer to make certain the “dude” (customer) is not “doin’ it wrong.”

188. On March 15, 2005, at approximately 9:09 a.m. Target Telephone 1 received a call from 773-342-6943. CLAYTON stated that “we’re seeing some action out here this morning,” and SUTTON responded that he would be there in about fifteen minutes (the drug spot is busy and SUTTON would be out on the drug spot in fifteen minutes).

189. On March 15, 2005, at approximately 3:45 p.m., (Call No. 1073) Target Telephone 1 received a call from 773-342-6943. CLAYTON asked SUTTON, "What are you going to do about Mattie...she is coming up short, she only came up with 39 dollars" (YELVINGTON did not produce all of the money she owes from the drugs that she sold). SUTTON responded, "Give her until tomorrow to come up with the receipts, or she better not come out of her house" (SUTTON is giving her until the next day to come up with the proceeds from narcotics sales).

190. On March 16, 2005, at approximately 9:20 am (Call 1145), Target Telephone 1 received a call from 773-218-6569. MARSHALL SUTTON told SUTTON that he had some big orders on some "tee-shirts" (quantity of narcotics). SUTTON replied that he was busy right now but would be over around ten.

191. On March 16, 2005, at approximately 6:52 p.m., Target Telephone 1 received a call from 773-342-6943. CLAYTON told SUTTON that he had not heard from "Mattie" (YELVINGTON) yet and referred to the presence of "Skullcap" (a specific police officer in the area) and stated that he (CLAYTON) was going to shut it down for the night (shut down the drug spot for the night).

192. On March 18, 2005, at approximately 1:24 p.m. (Call 1422), Target Telephone 1 received a call from 773-218-6569. MARSHALL SUTTON told SUTTON that he needed a "sixty three" (63 grams of narcotics). SUTTON asked MARSHALL SUTTON if he talked to a particular individual about the "lick" (narcotics) that the individual is supposed to have for SUTTON.

193. On March 19, 2005, at approximately 6:38 p.m. (Call 1650), Target Telephone 1 received a call from 773-218-6569. MARSHALL SUTTON told SUTTON that he (MARSHALL SUTTON) has some white customers that want "two lines" (quantity of narcotics). SUTTON responded that he wasn't over by the spot and that he just dropped off some clothes (narcotics), but he could be over to the spot in 30 minutes.

194. On March 21, 2005, at approximately 1:32 p.m., Target Telephone 1 received a call from 773-342-6943. SUTTON told CLAYTON that he, SUTTON, was out there (on the drug spot

at Hamlin and Iowa) and did not see CLAYTON. SUTTON told CLAYTON that a few people were out there (possibly customers waiting to purchase narcotics) and CLAYTON then told SUTTON that he needed some “food” (resupplied with narcotics). SUTTON stated that he would be there in about an hour (to resupply the spot with narcotics).

195. On March 21, 2005, at approximately 4:55 p.m. (Call 1945), Target Telephone 1 received a call from 773-218-6569. SUTTON told MARSHALL SUTTON that “it’s up under da porch “ (hidden narcotics), under a wooden skid.

196. On March 21, 2005, at approximately 10:53 p.m., Target Telephone 1 received a call from 773-235-1029, another phone used by MATTIE YELVINGTON. YELVINGTON and SUTTON had a discussion about “receipts” during which YELVINGTON claimed that the total for the receipts was wrong (money owed SUTTON from narcotics sales) and that she takes care of what she does (she is careful with narcotics and money) and that nobody gave her any “clothes” (nobody gave her any narcotics).

197. On March 21, 2005, at approximately 7:18 p.m. (Call No. 2020), Target Telephone 1 received a from 773-342-6943. CLAYTON asked SUTTON if he had spoken to “Mattie” (YELVINGTON) and SUTTON replied that she is six dollars and fifty cents behind. CLAYTON suggested that MATTIE work the day shift because the night shift is slow (YELVINGTON still owes money and should work a day shift on the spot because at night there are less people buying drugs from them). SUTTON also told CLAYTON to write down the amount she owes and deduct as she pays him. CLAYTON then told SUTTON, “she is realizing she is not making money and will eventually start chipping out of the bag” (YELVINGTON will start taking some drugs from the bags she is selling in order to sell some on her own and make money).

198. On March 22, 2005, at approximately 6:09 p.m., (Call No. 2398) Target Telephone 1 received a call from 773-213-2054. CLAYTON asked SUTTON, “Should I give anything to Mattie tonight”(should CLAYTON give YELVINGTON narcotics to sell). SUTTON responded that

CLAYTON should give her two loose ones, two seven piece dinners” (a certain quantity of narcotics to be sold on the spot).

199. On March 23, 2004 at approximately 10:56 am (Call 2435) Target Telephone 1 called 773-213-2054. CLAYTON told SUTTON that “Mattie knocked off four of them last night” (YELVINGTON sold four of a quantity of narcotics). CLAYTON informed SUTTON that he “will finish his plate tonight” (CLAYTON is going to finish the drugs he has to sell tonight). CLAYTON also says that “will see how much Mattie gives tonight” (will see how much money YELVINGTON returns from the narcotics proceeds).

200. On March 23, 2005, at approximately 12:05 p.m., (Call 2442) Target Telephone 1 received a call from 773-342-6943. CLAYTON told SUTTON that some “weird shit just happened.” CLAYTON said he could hear on his cellular telephone a conversation “them people were having over the radio” about him what he was wearing and where he was standing. Clayton continued, “I’m getting out of here for thirty minutes and then I’ll come back.” (Shortly before CLAYTON called SUTTON, an investigator surveilling CLAYTON on the drug spot at Iowa and Hamlin and attempting to confirm his cellular telephone number placed a call to 773-342-6943. The investigator watched CLAYTON answer the phone and then inadvertently forgot to hang up her cellular phone before describing his location and appearance over the police radio.)

201. On March 23, 2005, at approximately 7:56 p.m., Target Telephone 1 received a call from 773-235-1029. YELVINGTON told SUTTON that they needed more “outfits” (quantity of narcotics) and that “Little Joe” (unidentified worker in SUTTON’s narcotics operation) only had “two jeans and two t-shirts” (quantity of narcotics) left and that one set of “t-shirts” was too small (quantity of narcotics was less than normal). SUTTON initially told YELVINGTON that she didn’t need to overload herself (obtain too much narcotics at once) and then said he would straighten “what’s his name” out (address the issue) and then eventually acknowledged with an “ok.”

202. On March 23, 2005, at approximately 10:19 p.m. (Call No. 2522), Target Telephone 1 received a call from 773-213-2054. CLAYTON asked SUTTON if he spoke to “Mattie”



(YELVINGTON). SUTTON informed CLAYTON that he had told her “she is going to stick to the program” and he (SUTTON) “is not going to change anything” (YELVINGTON is going to stick by the rules SUTTON has established for her in order to repay the money she owes him). During the conversation CLAYTON asked SUTTON if he “has any food” because “I only have two left”(any drugs for sale because CLAYTON only has a small quantity left). SUTTON informs CLAYTON, “I am going to cook it now”(process cocaine into crack cocaine for sale).

203. On March 23, 2005, at approximately 10:56 p.m., Target Telephone 1 called 773-213-2054, another phone used by AARON CLAYTON. CLAYTON stated that “Mattie” knocked off four of them last night (YELVINGTON sold a quantity of four units of narcotics) and said that he would finish his “plate” (sell the narcotics that he was holding at that time) tonight and that “Mattie” left with a plate of food last night (YELVINGTON did not sell all of the narcotics she was holding last night).

204. On March 25, 2005, at approximately 11:19 am (Call No. 2637) Target Telephone 1 received a call from 773-213-2054. CLAYTON complained to SUTTON that the “carpet is really wet” and “the customers are complaining because the carpet is really wet” (the narcotics are not in good condition and the drug customers are therefore complaining). CLAYTON further claimed that the “customers are talking about going to other car washes”(customers are threatening to go to other drug spots for better quality drugs).

205. On March 29, 2005, at approximately 9:01 am (Call 3135) Target Telephone 1 received a call from 773-213-2054. SUTTON told CLAYTON, “It is going to be a nice day there should be a nice turnout. It’s going to be nice all week” (they should have lot of customers today at the drug spot because the weather is going to be good all week).

206. On April 1, 2005, at approximately 9:33 p.m., (Call 3686) Target Telephone 1 received a call from 773-213-2054. CLAYTON asked SUTTON “Do you have any food?” (does SUTTON have drugs to supply the spot). SUTTON responds that he did and would call him back. CLAYTON told SUTTON that he “needs the food like yesterday”(needs the quantity of narcotics).

At approximately 10:16 p.m., CLAYTON called SUTTON and informed him, "I have no more food" (completely out of narcotics to sell). SUTTON responded by telling CLAYTON "I'm working on it right now" (possibly a reference to trying to preparing the narcotics for distribution). (This is one day after law enforcement seized a supply of cocaine from GUMERCINDO OROZCO, as described below in Part C.2d, some of which was intended to be delivered to SUTTON - leaving SUTTON without the cocaine supply he was expecting.)

207. On April 2, 2005, at 2:15 p.m., Target Telephone 1 called 773-895-5913. SUTTON told ERVIN that he (SUTTON) was coming out to see what ERVIN needed (narcotics needed to sell). ERVIN stated that he needed to go get the "receipts" (money for SUTTON).

208. On April 5, 2005, at approximately 11:10 am (Call 4029), Target Telephone 1 received a call from 773-540-2219. WALLACE identified himself as "Scarface" to SUTTON. WALLACE advised SUTTON that the "shorties" (workers at the drug spot) wanted to "holler at" (talk to) SUTTON because the "ho's over here doing there thing" (referring to police presence around Hamlin and Iowa, where investigators in fact were conducting surveillance at that time).

209. On April 7, 2005, at approximately 8:25 p.m. (Call 5010), Target Telephone 1 received a call from 773-218-6569. MARSHALL SUTTON complained to SUTTON that someone else was selling at the drug spot. SUTTON told MARSHALL SUTTON to "just work off your phone" (conduct narcotics sales over the telephone). MARSHALL SUTTON told SUTTON that anytime he saw others selling on their drug spot that MARSHALL SUTTON was going to "sic them people" (call the police) on them.

210. On April 7, 2005, at approximately 9:31 p.m., (Call No. 5030) Target Phone 1 received a call from 773-259-5287. ERVIN asked SUTTON, "Why she close the restaurant so early?" (inquiring why the person responsible for the spot, possibly YELVINGTON, closed it early). Later ERVIN says again "He closed that restaurant early than a motherfucker" (possibly referring to spot manager CLAYTON). SUTTON responded, "I know...I mean I got to get me more money" (commenting that he needs the spot to stay open so that he can make money).

211. On April 7, 2005, at approximately 9:46 p.m., (Call No. 5038) Target Phone 1 received a call from 773-259-5287. ERVIN asked SUTTON, “Yeah what’s going on? What’s the word?” (what is going on with the drug spot). SUTTON responded, “She supposed to been putting some...put some people together to wash the clothes” (understanding that ERVIN wants to know the status of the drug spot and telling ERVIN that an unknown female is going to put some people together to prepare the drugs for street sales). SUTTON tells ERVIN, “...shit’s gonna turn around cuz you know the weathers fittin’ to break so, you know” (assuring ERVIN that the drug spot will pick up now that the weather is getting better). ERVIN said, “Right.” SUTTON added, “you know....it’s gonna get better for us.”

212. On April 17, 2005, at approximately 11:07 p.m., Target Phone 1 received a call from (773) 677-7748, used by Individual E. Individual E and SUTTON discuss “Aaron” (drug spot manager AARON CLAYTON) and Individual E said that he “has been a fuck up from the beginning” (does not believe CLAYTON is doing a good job running the spot). SUTTON added that CLAYTON was an “accident waiting to happen.”

**d. *Examples of calls between SUTTON and drug spot operator ANDRE KINCAID***

213. The calls set forth below demonstrate the relationship between SUTTON and neighboring spot worker ANDRE KINCAID. During the month of May, investigators have seen KINCAID operating a drug spot on Harding and Iowa, within the same vicinity as SUTTON (who had moved his spot to Pulaski and Iowa). KINCAID and SUTTON discuss where various individuals are supposed to be selling. Also, KINCAID purchases cocaine from SUTTON.

214. On April 4, 2005, at approximately 6:06 p.m., (Call No. 4077) Target Phone 1 called 773-858-3541, a phone used by ANDRE KINCAID.<sup>43</sup> KINCAID told SUTTON “I need awe, a size

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<sup>43</sup>Information establishing that ANDRE KINCAID is the user of 773-858-3541 includes the following. On May 16, 2005, at approximately 11:28 am (Call No. 1836) Target Phone 3 called 773-858-3541. SUTTON told the individual to whom he was speaking that he would come meet him. At approximately 12:07 p.m., surveillance observed ANTHONY SUTTON seated in his vehicle at 912 N. Harding speaking with an individual recognized by investigators as ANDRE KINCAID. An investigator placed a call to telephone number (773) 858-3451 and

seven, and, and a size boy, I mean, a size you know, in a little kids shoe though, a size seven” (asking for a certain quantity of narcotics). SUTTON replied, “ I got the footlocker at home, I'll give you a call back” (needs to go home to get the narcotics).

215. On May 10, 2005, at approximately 5:49 p.m., (Call No. 777) Target Phone 3 received a call from (773)858-3541. KINCAID told SUTTON, “I ain't going man, I ain't going man. They trying to bring all these police ass people over here, Mattie and all of them, man come on man, there ain't nothing happening over here.” (claiming that MATTIE YELVINGTON and others who the police know are drug dealers are trying to sell drugs on KINCAID’s drug spot). SUTTON stated later in the conversation, “Tell them you slinging with me, you know what I'm saying”(telling KINCAID to say that he (KINCAID) is selling for SUTTON). KINCAID went on to tell SUTTON, “You know what I'm saying, then every time them niggers (other drug sellers like YELVINGTON) move they attract them mother fucking peoples (the police) man, straight up.... Nah, tell them shit, tell you working the shit already.”

216. On May 16, 2005, at approximately 11:28 am (Call No. 1836) Target Phone 3 called 773-858-3541. KINCAID told SUTTON that “Twin” (referring to either WALLACE or Individual B) and them are over there working on his rotation. (KINCAID is informing SUTTON that others, including “Twin,” are selling drugs where he is supposed to be selling.) SUTTON and KINCAID then discussed the division of territory around Iowa and Pulaski. KINCAID told SUTTON that he (SUTTON) is supposed to be from the middle of the I (the middle of the block on Iowa). SUTTON then tells KINCAID he will be over there to talk further in ten minutes.

217. On May 16, 2005, approximately 3:43 p.m., (Call No. 1880) Target Phone 3 received a call from (773) 858-3541. KINCAID told SUTTON that there is nothing going on over there and

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observed KINCAID remove a cellular telephone from his right pocket and answer the call. The investigator had a short conversation with KINCAID who related that he had the wrong number. The investigator who spoke to KINCAID has listened to calls intercepted between Target Phones 1 or 3 and 773-858-3541 and recognized the voice of KINCAID to be that of the user of 773-858-3541.

SUTTON stated that there is supposed to be (no one is selling drugs on the spot that and SUTTON says they are supposed to be working on). KINCAID then told SUTTON that he needed at least “two, three hundred worth just to stay down” (KINCAID needs two or three hundred dollars of drugs in order to keep working on the drug spot). SUTTON sounded surprised that KINCAID was in need of narcotics and offered to come out and meet him (to supply him with cocaine).

218. On May 16, 2005, at approximately 3:47 p.m., (Call No. 1884) Target Phone 3 called (773) 858-3541. SUTTON told KINCAID that an unknown individual had just spoken to SUTTON and informed him that KINCAID had some clothes (SUTTON has heard KINCAID has drugs to sell).

219. On May 16, 2005 at approximately 11:22 am and 11:25 am (Call 1832 and Call 1834) SUTTON, using Target Phone 3, had conversations with Individual B and WALLACE.. Individual B and WALLACE each stated that “Studio” was complaining about the drug boundaries in the area of Harding and Iowa. (Investigators know “Studio” to be a nickname used by KINCAID based upon CPD gang intelligence.) SUTTON responded that he would be there in ten minutes. At approximately 11:28 Target Phone 3 called (773) 858-3541 (Call 1836). SUTTON had a conversation with an unknown individual. During the conversation, the unknown individual complained that “Scarface” (WALLACE) was selling in the 900 block of N. Harding. SUTTON informed the unknown individual that he was on his way there.

**d. *Examples of Calls Between SUTTON and Suppliers***

**Examples of Calls Between SUTTON and Suppliers GUMERCINDO OROZCO and ANSELMO ZEPEDA**

220. The calls set forth below demonstrate the relationship between SUTTON and suppliers ZEPEDA and OROZCO. ZEPEDA and OROZCO work together supplying SUTTON with cocaine (and possibly marijuana). On March 31, 2005, investigators seized 30 kilograms of cocaine from OROZCO. Six of the kilograms of cocaine were in a backpack marked “A. Sutton). At the time OROZCO was stopped, he was on his way to meet SUTTON.

221. On March 11, 2005, at approximately 12:19 p.m., (Call No. 394) Target Telephone 1 received a call from 708-698-2271, used by GUMERCINDO OROZCO.<sup>44</sup> OROZCO asked SUTTON, “How was that green car?” SUTTON replied, “It was cool...it’s driving pretty good.” (asking about how the sales of narcotics, possibly marijuana - “the green car” - recently sold by OROZCO to SUTTON are going). OROZCO asked SUTTON, “...when you think you going to be finished with that?” SUTTON replied “I’ll probably be seeing you, probably ahh, tomorrow.” OROZCO then explained to SUTTON “why I’m asking you that is because there is little left. You wanna me save more for you, I can keep more for you or what?” SUTTON appeared to not hear what OROZCO said and OROZCO repeated himself by stating, “I don’t have much left. You want to ah keep some for you?” SUTTON responded “Yeah.” Later in the conversation SUTTON asked OROZCO, “Is you low?” OROZCO replied, “No, it’s going too fast. ... I don’t know how you are. If you later on you want maybe need more.” SUTTON replied, “Yeah, yeah.” SUTTON then informed OROZCO that he would call him in the morning. (OROZCO is checking to see if SUTTON would want some amount of drugs set aside for him because OROZCO is selling the drugs he has quickly. SUTTON and OROZCO discussed how much OROZCO has available and OROZCO stated that he did not have much left and wanted to know how much he should put aside for SUTTON.)

222. On March 11, 2005, at approximately 4:29 p.m., (Call 447) Target Telephone 1 received a call from 219-484-9358, used by ANSELMO ZEPEDA.<sup>45</sup> SUTTON informed ZEPEDA,

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<sup>44</sup>Information linking 708-698-2271 to OROZCO includes the following. OROZCO was interviewed on March 31, 2005, following the seizure of approximately thirty kilograms of cocaine and \$19,000 (described in greater detail below). OROZCO informed investigators that his cellular telephone number was 708-221-3360. Investigators have intercepted calls on Target Phone 1 either to or from 708-221-3360. Investigators have identified that voice as the same voice intercepted in calls on Target Phone 1 to or from 708-698-2271. Additionally, investigators who spoke to OROZCO during his interview have identified the voice to be the same as the voice in calls intercepted in the above numbers.

<sup>45</sup>Information establishing ANSELMO ZEPEDA as the user of 219-484-9358 includes the following. ZEPEDA was taken into custody pursuant to an outstanding warrant on April 2, 2005. After being advised of his Miranda Rights ZEPEDA admitted that he was known as Sam but denied being involved in the distribution of narcotics. Investigators who interviewed

“I talked to your cousin (OROZCO), uh he said his tire is getting low man. You know I told him I was coming to see him tomorrow.” (OROZCO is low on drugs.) Later in the conversation after SUTTON explained to ZEPEDA that the fact that “his cousin” tires are getting low is not a good thing, ZEPEDA asked SUTTON, “When you ready?” SUTTON responded, “Shit, I’m gonna go see him in the morning, I want all the way my tire...I still got a little air in my tires, I’m going to see him because, I don’t wanna, cause I don’t want my tires to go flat, all the way flat then I’ll be fucked.” (SUTTON is going to see OROZCO the next day and SUTTON is low on drugs. SUTTON is concerned because if SUTTON does not have drugs to sell then SUTTON cannot supply his drug spot and others dealers.) ZEPEDA later asked, “What happened to my horse?” SUTTON informed ZEPEDA that his guy was still working on it when he last saw him. (ZEPEDA is inquiring about a van that SUTTON is providing to ZEPEDA that is to be equipped with a trap.)<sup>46</sup>

223. On March 12, 2005, Target Phone 1 had a number of calls with 708-698-2271, used by GUMERCINDO OROZCO. At approximately 1:34 p.m. (Call No. 587), SUTTON called OROZCO and OROZCO asked SUTTON, “...you wanna see that, that green car, right?” SUTTON responds “Yeah. No, no, the uh the big one.” OROZCO asked SUTTON, “What number you have for me?” SUTTON responded, “...about a bill.” SUTTON and OROZCO then agreed to meet around 3:00 p.m.,. At approximately 2:32 p.m., (Call No. 602) SUTTON called OROZCO and stated, “Cuz, let’s go eat at 4:00.” SUTTON told OROZCO, “Make it six dollars.” OROZCO said, “Let me check it out, I did not go to the warehouse yet.” SUTTON told OROZCO, “Call me back and let me know how many tires you got.” At approximately 4:14 p.m., OROZCO called SUTTON (Call No. 616). OROZCO asked SUTTON “where you at?” SUTTON told OROZCO that he had been waiting for

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ZEPEDA have compared his voice to the voice on calls intercepted with 219-484-9358 and determined that it is the same voice.

<sup>46</sup> CW 1 installed a “trap” inside the van that was eventually given to ZEPEDA and driven down to Tennessee. Investigators installed a tracking device on the van before it was provided to SUTTON. This enabled investigators to monitor the location of the van and the possible whereabouts of ZEPEDA. On April 2, 2005, investigators stopped the van and apprehended ZEPEDA who was considered a fugitive on three federal warrants for narcotics related charges.

him to call. Later in the conversation SUTTON asked OROZCO, "How many tires you got? You don't know?" OROZCO told SUTTON "I got a three. But I got the rest tomorrow. Don't worry about it."

224. During these March 12, 2005, calls between SUTTON and OROZCO, SUTTON originally agreed to meet OROZCO at 3:00 and then 4:00 ("let's go eat at 4:00") to purchase kilograms of cocaine from OROZCO, not marijuana (not the "green" one but the "big" one). OROZCO informed SUTTON that he will have to check and see how many he has to sell (check the "warehouse"). OROZCO and SUTTON discussed "eating at 4 o'clock" (meeting to conduct the narcotics transaction) and stated that the "exchange would be for six dollars" (quantity of money, likely \$60,000 at \$20,000 per kilogram of cocaine which is consistent with cocaine kilogram pricing). OROZCO stated that he would check with the warehouse and SUTTON asked OROZCO to call back and asked "how many tires" (kilograms of cocaine) OROZCO had. When they spoke again at approximately 4:14 p.m., OROZCO told SUTTON that the "work is coming in short" (does not have the amount SUTTON normally gets) and "I'll give you even." SUTTON asked OROZCO, "How many tires?" (how many kilograms of cocaine) and OROZCO responded that he had "three" and the rest tomorrow (has "three" kilograms and will get the rest tomorrow).

225. On March 13, 2005, at approximately 11:08 am (Call No. 712), Target Phone 1 called 219-484-9358. SUTTON told ZEPEDA that "Uh, I talked to my guy he supposed to be pushing for tomorrow for the van" (with the trap). Later in the conversation SUTTON told ZEPEDA, "I've been trying to get in touch my cousin (OROZCO), I called him a couple times yesterday...I've been trying to get in touch with him and he ain't answering." ZEPEDA informed SUTTON that he talked to him yesterday and asked "What you looking for you look at a Cadillac, or you looking for the big one" (whether SUTTON is looking for another narcotic - most likely marijuana - or cocaine). SUTTON responded, "No the big one" (cocaine). ZEPEDA agreed to try and contact "him" (OROZCO) for SUTTON.



226. That same day at approximately 11:14 am (Call No. 714), 708-698-2271 called Target Phone 1. OROZCO and SUTTON talked about meeting at 12:30. SUTTON asked OROZCO, "How many tires you got?" (how many kilograms of cocaine). OROZCO replied that "Right now I got a got a three, but today uh I got in the rest" (only has three kilograms but got more in today). SUTTON told OROZCO, "I'll just uh get those three tires and put them on the truck" (SUTTON will take the three kilograms of cocaine). At approximately 12:35 p.m., (Call No. 734) Target Phone 1 called 708-698-227. SUTTON informed OROZCO that he is at "Putos, by the market ... right across from Walgreens."

227. At approximately 12:35 p.m., surveillance observed SUTTON meet with a male in a parking lot of Caputos, a grocery store, which is located right across the street from a Walgreens, at 166 E. Lake Street in Bloomingdale, Illinois. SUTTON was in a maroon Chevrolet conversion van bearing Illinois license plates 7427834. (This was a vehicle previously identified as belonging to SUTTON through information from CW1 who placed a trap compartment in the vehicle at SUTTON's request). The male exited a gold/champagne Chevrolet Impala (in which two other individuals were seated) and entered the front passenger seat of SUTTON's van. The male appeared to be carrying something in the front of his coat. When the male emerged from SUTTON's van, he no longer appeared to be carrying anything. The nature of what the male appeared to be carrying was consistent with several kilograms of cocaine. The male was not carrying any actual tires. (A short while later, around 1:00 p.m., investigators observed the gold/champagne Chevrolet Impala parked in the driveway of 144 Benton Lane, Bloomingdale, Illinois.)

228. On March 18, 2005, at approximately 5:22 p.m., Target Telephone 1 called 219-484-9358. SUTTON told ZEPEDA that it was getting late and he needed the "clothes" (narcotics). On March 19, 2005, at approximately 6:27 p.m., 219-484-9358 called Target Phone 1. ZEPEDA and SUTTON discussed where the "clothes" (narcotics) were and meeting up. Subsequent calls that same day indicate that ZEPEDA and SUTTON did in fact meet and surveillance observed SUTTON meet with an unidentified male at that time.

229. On March 30, 2005, at approximately 9:46 p.m., (Call No. 3361) Target Phone 1 received a call from 708-221-3360. OROZCO told SUTTON he had been running around all day and that he would be ready for SUTTON in the morning. SUTTON and OROZCO then had a discussion regarding money and how much SUTTON gave to him the last time they met (how much SUTTON paid during the last narcotics transaction). OROZCO told SUTTON, "I want to figure out the numbers, where we are" (wants to get even with SUTTON regarding the money that SUTTON owed OROZCO from previous narcotics dealings).

230. On March 31, 2005, at approximately 8:13 am, (Call 3368) Target Phone 1 received a call from 219-484-9358 . SUTTON told ZEPEDA that he was ready to "rock and roll" (ready to get the drugs). ZEPEDA informed SUTTON that he "went to the mail...the post office last night" (received the drugs last night).

231. A short while later, at approximately 9:48 am (Call No. 3371) Target Phone 1 called 708-221-3360. OROZCO asked SUTTON, "What time we want to go to work?" and they agreed to meet around 11:00 am. OROZCO asked SUTTON, "What number do you want to play?" SUTTON asked, "Huh?" and OROZCO said, "What number?" SUTTON responded by saying, "Six." (OROZCO asked SUTTON how many kilograms of cocaine he wanted to purchase and SUTTON responded that he wanted six kilograms of cocaine.)

232. Later, at approximately 11:00 am (Call No. 3395) Target Phone 1 called 708-221-3360. and SUTTON informed OROZCO, "I'm at Caputo's." OROZCO told SUTTON he was still a distance away. OROZCO then told SUTTON, "I want to figure out the numbers and how we are, because I think we are a little wrong." OROZCO said, "Tell me the last time what number you give me." After a brief pause OROZCO inquired, "Hundred?" SUTTON responded, "Should have been for ah for six, cause I got six right?" OROZCO said, "You got six." A short time later in the conversation OROZCO said, "You give me a hundred, hundred one." SUTTON replied, "One, one ten." OROZCO told SUTTON, "No cunado (nickname meaning brother in law in Spanish) it was a hundred, hundred and one." Later in the conversation, SUTTON said, "The one, the one wasn't

wrapped it was like a football it was like eight seventy five, it was like two of those.” OROZCO told SUTTON that he would be there fifteen or thirty minutes.

233. OROZCO and SUTTON discussed money that SUTTON may owe OROZCO for a previous purchase of six kilograms. SUTTON stated that he believed he paid OROZCO \$110,000 and OROZCO stated that SUTTON had only paid \$101,000.

234. Surveillance observed an individual driving a Lincoln Aviator enter the driveway of 144 Benton Lane, Bloomingdale, Illinois and go inside. Surveillance observed the individual exit the residence. Shortly thereafter, the Bloomingdale Police Department conducted a traffic stop of the black Lincoln Aviator. The driver was identified as GUMERCINDO OROZCO. The officers received a verbal consent from OROZCO to search the vehicle and located a box containing approximately five kilograms of a substance which tested positive for the presence of cocaine and a backpack with “A SUTTON” written on the front that contained what was later determined to be approximately six kilograms of a substance which tested positive for the presence of cocaine. During questioning at the Bloomingdale Police Department, OROZCO granted consent to the officers to conduct a search of the residence at 144 Benton Lane. Investigators found among other items, nineteen additional kilograms of a substance which tested positive for the presence of cocaine, and approximately \$19,000. OROZCO was released at that time.<sup>47</sup>

235. At approximately 10:58 am, surveillance observed a maroon Chevrolet conversion van bearing Illinois license plates 7427834 (a vehicle previously identified as belonging to SUTTON through information from CW1) arrive in the Caputo’s parking lot at 166 East Lake Street in Bloomingdale, Illinois. Surveillance observed SUTTON exit the maroon conversion van and enter the Caputo’s grocery store at approximately 11:07 am. At approximately 11:35 am surveillance officers observe SUTTON pushing a shopping cart from the grocery store and place the items into the maroon van and get back into the vehicle. SUTTON left the parking lot at approximately 11:57 am.

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<sup>47</sup>OROZCO was released because of the continuing wiretap investigation.

236. On March 31, 2005, at approximately 11:38 am, (Call No. 3399) Target Phone 1 called 708-221-3360. SUTTON left a message for OROZCO, stating “I’m here waiting.” (SUTTON attempted to call OROZCO repeatedly at approximately 11:40 am (Call 3401), 11:41 am (Call 3402), 11:53 am (Call 3407, 12:01 p.m., (Call 3408), 12:42 p.m., (Call. 3415), 2:24 p.m., (Call 3444) and at 2:48 p.m., (Call 3450), each time reaching OROZCO’s voicemail and hanging up.)

237. On March 31, 2005, SUTTON using Target Phone 1 and ZEPEDA using 219-484-9358 have multiple conversations. At approximately 11:42 am (Call No. 3403) SUTTON called ZEPEDA and asked, “Where is your cousin? I’ve been waiting a long time.” SUTTON then asked ZEPEDA to “call Jess.” At approximately 11:50 am (Call No. 3406) SUTTON and ZEPEDA again spoke and SUTTON informed ZEPEDA that “he did not answer, I’ll try him again.” At approximately 12:02 p.m., (Call No. 3409) ZEPEDA told SUTTON he could not reach him (OROZCO) stating, “he won’t answer the phone....I hope nothing happened.” At approximately 12:56 p.m., (Call No. 3418) and 12:57 p.m., (Call No. 3419) SUTTON and ZEPEDA talk and ZEPEDA said he still has not talked to him and in one of the conversations (Call 3419) ZEPEDA stated, “I thought he was at the house.” At approximately 2:25 p.m., (Call No. 3445) SUTTON called ZEPEDA and asked him if he spoke to “Shorty” (believed to be a reference to ALFREDO MANZANARES). At approximately 2:48 p.m., (Call No. 3451) SUTTON called ZEPEDA and asked “Is there someone else I can see” (if ZEPEDA knows of someone else he (SUTTON) could meet in order to purchase narcotics). At approximately 5:28 p.m., (Call No. 3478) SUTTON called ZEPEDA again and during the conversation ZEPEDA told SUTTON, “there were two guys, you and another guy” (OROZCO was supposed to meet SUTTON and another person – for whom the five kilograms recovered from the box were intended - in order to deliver drugs to them.)

**Examples of calls between SUTTON and suppliers EDGARDO BARRERA and JOSEPH HICKEY and seizure of 3 kilograms of cocaine from BARRERA and HICKEY that was intended for SUTTON**

238. The calls set forth below demonstrate the relationship between SUTTON and suppliers BARRERA and HICKEY. BARRERA and HICKEY work together distributing cocaine

to SUTTON. Following the seizure of cocaine from OROZCO and ZEPEDA's arrest, SUTTON begin dealing more frequently with BARRERA and HICKEY. On April 28, 2005, investigators seized three kilograms of cocaine from BARRERA and HICKEY that was intended for SUTTON.

239. On April 4, 2005, at approximately 10:07 am, Target Phone 1 received a call from 773-632-8099, a phone used by EDGARDO BARRERA.<sup>48</sup> BARRERA told SUTTON that it was going to be a minute because "this guy" had to run to Aurora (one of his workers was going to Aurora to be resupplied with cocaine). SUTTON told BARRERA that he was "trying to get six movies" and asked what "number" BARRERA could give him (wanted six kilograms of cocaine and wanted to know how much BARRERA would charge). BARRERA told SUTTON "around 19 or 18.50" (\$19,000 or \$18,500 for a kilogram of cocaine). SUTTON asked how long it would be and said that he had people "waiting to watch the movies" who had "been on hold for four days" (customers who had been waiting to be resupplied for four days). BARRERA told SUTTON that he would have "Joe" (JOSEPH HICKEY) give him a call.

240. On April 4, 2005, at approximately 8:15 p.m. (Call 4119), Target Telephone 1 called (773) 799-4665, a phone used by JOSEPH HICKEY.<sup>49</sup> SUTTON told HICKEY, "You know I don't

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<sup>48</sup>Information establishing EDGARDO BARRERA as the user of phone numbers 773-632-8762 and 773-632-8099 and 708- 516-9639 includes the following. Both 773-632-8762 and 773-632-8099 are subscribed to in the name of EDGARDO BARRERA at 6724 S. Kolin, Chicago, Illinois. This address has been previously linked to BARRERA in that he has provided it during at least one previous arrest. Additionally, as discussed in detail below, on April 28, 2005, investigators conducted a traffic stop on a vehicle the driver of which was identified as EDGARDO BARRERA. Investigators who conducted the stop have compared the voice of EDGARDO BARRERA to the voice on calls intercepted to or from the above referenced numbers and identified the voices as the same. Additionally, calls intercepted from 708- 516-9639 prior to the stop discussing a meeting location with SUTTON corroborate that BARRERA was the individual using that number that was stopped in the vicinity of that meeting location.

<sup>49</sup>Information establishing JOSEPH HICKEY as the user of telephone numbers 773-799-4665 and 773-828-6601 includes the following. On April 12, 2005, surveillance officers noticed an individual in a car double parked having a conversation with another person and impeding traffic in the vicinity of 2501 South Harding. The officers recognized the driver of the vehicle JOSEPH HICKEY, a member of the Two Sixers street gang, based upon a drivers license photo and arrest photo. As the officers approached the double parked vehicle, the driver identified himself as JOSEPH HICKEY and informed the officers that the vehicle, a blue Ford bearing Illinois license plates 7259809, was registered in his wife's name, Maritza

play like that man.” HICKEY responded, “cuz it eight man, you know. But uh, do you want me to come scoop it up or uh, could you...” SUTTON stated, “Give me about ten or fifteen minutes cuz I fittin to make a stop or two, then call me then ah...we could run into each other then you can grab it.” (SUTTON and HICKEY are discussing HICKEY picking up money owed by SUTTON.)

241. On April 5, 2005, Target Phone 1 had a number of calls with 773-632-8099. At approximately 10:19 am (Call No. 4197), BARRERA left a voicemail for SUTTON stating, “Hey Ant it's me Eddie man, ah just calling to let you know I'm back in town um give me a call when you get a chance, man.” In subsequent calls (Calls 4203, 4341 and 4345) BARRERA and SUTTON planned to meet at the Shell gas station located on the southwest corner of Roosevelt and Cicero. At approximately 9:37 p.m., surveillance observed SUTTON driving his maroon Chevrolet conversion van enter the gas station parking lot. At approximately 9:49 p.m., surveillance officers observed a white Mercury Marquis bearing Illinois license plate 6242525 and driven by a male Hispanic enter the same gas station parking lot and meet with SUTTON.

242. On April 10, 2005, at approximately 10:00 am, Target Phone 1 received a call from 773-799-4665. HICKEY asked SUTTON “what time” and SUTTON responded “a couple of hours” (he could meet in a couple of hours) and stated that he needed “three movies” (three kilograms of cocaine). That same day at approximately 12:32 p.m., (Call 6593) Target Phone 1 received a call from 773-632-8099. SUTTON asked BARRERA “what time” he could “watch them movies” (what time he could meet to obtain more narcotics). BARRERA stated that he had the “movies” but was “not ready yet” (was supplied with cocaine but not ready to meet yet possibly because there were other customers with priority needed to be supplied first) and that they would be done tomorrow.

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Montenagro. During the interview, HICKEY stated that he was employed as a power washer for Aqua Tech and provided the officers with his business card. The business card listed two telephone numbers one of which was 773-799-4665. HICKEY further provided his address as 2401 S. Harding, Apartment 2 and his home telephone number as 773-522-4633. Following the interview of JOSEPH HICKEY the officers returned to their unit and listened to intercepted telephone calls that were between ANTHONY SUTTON and an unknown male using telephone numbers 773-799-4665 and 773-828-6601. The officers identified the voice talking to SUTTON as JOSEPH HICKEY.

243. On April 11, 2005, at approximately 7:35 p.m., HICKEY and SUTTON spoke on Target Phone 1.<sup>50</sup> HICKEY told SUTTON that “Ed” (BARRERA) told him to call and pick up the “paperwork” (money owed by SUTTON). HICKEY told SUTTON that “this motherfucker would usually give us four or five movies but since the paperwork got fucked up he won’t” (could usually get four or five kilograms of cocaine but cannot because the money is not accurate). HICKEY and SUTTON talked about meeting and SUTTON asked if after they meet (where SUTTON will bring the money) can they “go get some movies from the guy” (can they pick up cocaine).

244. On April 15, 2005, at approximately 11:45 am, Target Phone 1 received a call from 773-828-6601. HICKEY left a voicemail message for SUTTON stating that he has “two of those movies” (two kilograms of cocaine) and to call him back. That same day at 1:04 p.m., Target Phone 1 received a call from 773-632-8099 in which BARRERA told SUTTON that he had the movies.<sup>51</sup> A short while later at approximately 1:27 p.m., Target Phone 1 received a call from 773-828-6601. HICKEY told SUTTON that he had a couple of “good movies,” and SUTTON responded that he had already talked to “Ed” (BARRERA).

245. On April 19, 2005, Target Phone 1 had a number of phone calls with (708) 516-9639. At approximately 6:03 p.m., BARRERA called SUTTON and stated that he had a “pair of shoes” (two kilograms of cocaine) for SUTTON. SUTTON told BARRERA that he was “getting it from another guy for eighteen and a nickel” (getting cocaine for \$18,500 a kilogram from someone else). BARRERA told SUTTON that he could probably do that (meet that price) if SUTTON wanted more than a “pair” (two kilograms of cocaine). SUTTON said to BARRERA that BARRERA knew he

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<sup>50</sup>Due to a technical issue, the number used by HICKEY in the call and the direction of the call is not currently available. The caller is believed to be HICKEY based upon the fact that he identified himself as “Joe” and that investigators have identified the voice as the same voice of HICKEY when he was stopped (discussed in detail below) and the other HICKEY calls.

<sup>51</sup>During that same call, SUTTON told BARRERA that he was having trouble with his phone and gave him a new number 773-559-5600. This new number is Target Phone 3. Investigators did not begin intercepting calls on Target Phone 3 until May 6, 2005. SUTTON began having trouble with Target Phone 1 and began forwarding to Target Phone 3 his incoming calls to Target Phone 1, which investigators continued to intercept.

(SUTTON) is “three or four at a time” (gets three or four kilograms of cocaine at a time). SUTTON asked an unknown male in the background if he wanted any movies (kilograms of cocaine). SUTTON then told BARRERA that he wanted three movies and the other two but wouldn’t need them until morning and asked if he could he still get them for \$18,500 (wants five kilograms at \$18,500 but won’t need them until the morning). At approximately 6:08 p.m., BARRERA called SUTTON back and told him that he “can go eighteen seventy-five” and that he only has “a pair” (he can sell to him for \$18,750 a kilogram of cocaine and that he only has two kilograms). They arranged to meet at SUTTON’s house in an hour. In a call at 8:12 p.m., BARRERA called SUTTON and told him that he was out front.

246. At approximately 8:13 p.m., surveillance at the home of ANTHONY SUTTON located at 536 N. Lombard, Oak Park, Illinois observed a white Mercury Marquis bearing Illinois license plate 6242525 park near the front of the house. About one minute later, surveillance saw JOSEPH HICKEY and EDGARDO BARRERA get out of the car and walk towards the house. HICKEY did not appear to have anything in his hands however officers were unable to view BARRERA’s hands. At approximately 8:22 p.m., surveillance officers observed BARRERA and HICKEY coming down the stairs out of the house. While the two were leaving the residence investigators noticed that EDGARDO BARRERA was carrying a dark colored bag.

247. On April 28, 2005, at approximately 2:19 p.m., Target Phone 1 received a call from (708) 516-9639. BARRERA asked SUTTON if he could meet at Grand and Laramie and said he would be there in forty-five minutes. At approximately 3:54 p.m., surveillance observed SUTTON arrive at a restaurant at 5238 W. Grand Avenue get out of the car and go into the restaurant and have a conversation with BARRERA who was inside the restaurant. Surveillance also observed HICKEY go into the trunk of the red Nissan Maxima that SUTTON had arrived in and take a brown and green box out of the trunk and go to the trunk of BARRERA’s vehicle, the Mercury Grand Marquis in which BARRERA had previously been surveilled. Surveillance then observed that HICKEY had a stack of US currency in his hand as he then got into the Mercury Grand Marquis. HICKEY then



drove away and went to a house at 2047 N. Lockwood. HICKEY then came out of the residence with a bag and went back to the restaurant. SUTTON (who had left in the Nissan Maxima) also returned and SUTTON, HICKEY and BARRERA had a conversation. HICKEY and BARRERA subsequently left in the Grand Marquis, and SUTTON left in the Nissan Maxima.

248. Subsequent to a stop at a Walgreens where HICKEY and BARRERA appeared to meet with two unknown males, HICKEY and BARRERA went back to 2047 N. Lockwood. HICKEY went into the residence and then came out holding an object and went into the alley. BARRERA drove the car into the alley and HICKEY put the object into the trunk. They returned to the Walgreens where one of the unknown males from before got into the car as well.

249. Surveillance followed the car and stopped it near Austin and Chicago Avenues (in the vicinity and heading towards SUTTON's residence). BARRERA and HICKEY each identified themselves as EDGARDO BARRERA and JOSEPH HICKEY. (The other male individual identified himself as well). BARRERA then gave consent to search the vehicle. Investigators recovered from the trunk of the car three brick like objects, later determined to be three kilograms of a substance which tested positive for the presence of cocaine. BARRERA then said to the officers words to the effect of, "Is there was any way we can work this out between just us? If I lose this stuff I'm in big trouble. I'm an alright guy. Can we please do something?" Investigators asked BARRERA "What are you talking about?" BARRERA replied, "Thanks for not locking me up for that stuff officers." BARRERA then got back into the car with HICKEY and the other individual. Investigators were leaving the area when they observed SUTTON walk directly in front of their vehicle.

**Examples of Calls Between SUTTON and Supplier ALFREDO MANZANARES**

250. The calls set forth below demonstrate the relationship between SUTTON and supplier MANZANARES. MANZANARES is another cocaine supplier with whom SUTTON has done multiple drug deals.

251. On March 14, 2005, at approximately 2:38 p.m., Target Phone 1 received a call from 708-272-0005, used by ALFREDO MANZANARES.<sup>52</sup> SUTTON told MANZANARES that he gave MANZANARES “sixteen” of “them girls” (\$16,000). MANZANARES stated that he only got “twelve” after he calculated it (only had \$12,000 after counting the money)

252. On April 9, 2005, at approximately 10:04 am, Target Phone 1 received a call from 708-272-0005. MANZANARES asked if SUTTON was going to have “receipts” for him (money owed from narcotics transactions). MANZANARES also asked SUTTON about the “van” and about the “hiding thing” and the “slash” (both references to the trap in SUTTON’s van). MANZANARES also told SUTTON that if he couldn’t do anything with the “green car” (marijuana) to give it back to MANZANARES and he would do something with it (SUTTON could give it back if he couldn’t sell it).

253. On April 11, 2005, Target Phone 1 and 708-272-0005 had a number of calls. At approximately 1:0 p.m., MANZANARES and SUTTON spoke and MANZANARES said that he had been waiting on SUTTON’s call. SUTTON stated that he needs the “big ones” (cocaine). At

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<sup>52</sup>Information establishing 708-272-0005 as a phone used by ALFREDO MANZANARES includes the following. First, on April 14, 2005, at approximately 8:22 p.m., following a series of intercepted calls about a meeting, surveillance observed SUTTON meet with an individual driving a black Jeep. (The plate on the Jeep - 2875361 - is registered to ALFREDO MANZANARES at 1728 N 17<sup>th</sup> Melrose Park, IL on 1998 Jeep Carryall.) At approximately 8:50 p.m., surveillance observed the individual exit the home at 1728 N. 17<sup>th</sup> Avenue and enter the black Jeep. Surveillance followed the black Jeep and pulled it over for a traffic violation. The driver of the black Jeep was identified as ALFREDO MANZANARES who informed the officers that he resides at 1728 17<sup>th</sup> Avenue, Melrose Park, IL. The investigator who conducted the traffic stop has listened to intercepted conversations between MANZANARES (using telephone number 708-272-0005) and SUTTON and confirmed the person driving the Jeep, who was identified as ALFREDO MANZANARES, are the same person. Second, on March 14, 2005, at approximately 2:38 p.m., (Call No. 878) MANZANARES called SUTTON on Target Phone 1 from 708-272-0005 and stated, “It’s me the short guy.” Investigators surveilling MANZANARES have observed that he is short in stature. Similarly, on April 14, 2005, SUTTON using Target Phone 1 called 708-272-0005 two times leaving messages for “Shorty.”

approximately 1:24 p.m., they spoke again and talked about getting together at “the store.” A short while later at approximately 3:48 p.m., SUTTON told MANZANARES that he would be there in about fifteen minutes and said that he needed “six tires” “six big ones” (six kilograms of cocaine) to which MANZANARES replied that he needed to see SUTTON first. During the next hour, in subsequent calls they made arrangements to meet at a McDonalds at 1<sup>st</sup> and Lake. At approximately 7:10 p.m., SUTTON and MANZANARES again spoke and MANZANARES asked SUTTON if he wanted to “do that thing” (the drug deal) and said he only had “one” but it is COD (only has one kilogram of cocaine and SUTTON would have to pay for it at the time he picked it up). At approximately 10:08 p.m., SUTTON and MANZANARES again made arrangements to meet at the McDonalds and SUTTON stated that he had 19 (\$19,000 for the kilogram of cocaine - consistent with a common wholesale price for a kilogram of cocaine).

254. On April 12, 2005, Target Telephone 1 had a number of calls with 708-272-0005. At approximately 1:07 p.m., MANZANARES spoke to SUTTON and told him, “I was missing 135 yesterday. I know it ain’t much but it is my profit” (SUTTON shorted him an amount of money, likely \$1350 dollars yesterday when he paid him for previously received drugs and that money is part of his share of the sale). MANZANARES asked if SUTTON was “ready” and SUTTON said that he was (ready to do a drug transaction). At approximately 2:32 p.m., SUTTON and MANZANARES made arrangements to meet at 6:00 p.m., at “the store” and MANZANARES reminded SUTTON not to forget his “change” (money owed from deal the previous day) and told him also to bring the “receipts” (money owed) from the “green car” (marijuana sale). When they spoke again at approximately 6:10 p.m., MANZANARES told SUTTON that he would give him “one and then the other one” (one kilogram of cocaine at a time) and won’t give him two at a time (won’t give him two kilograms at once). SUTTON complained that this was too much running around. At approximately 8:05 p.m., they discussed meeting at the McDonalds and MANZANARES said that he only had one and can give him one tomorrow (one kilogram today and one tomorrow) to which SUTTON responded that he would need two (kilograms of cocaine) tomorrow then. They also had a

discussion about price and SUTTON asked to drop the price and stated that he is doing “ten cars a week” (SUTTON is selling ten kilograms of cocaine a week). MANZANARES said that the price was “one nine” (\$19,000) but said that they could talk to “the guy” (supplier who MANZANARES works for) before they do the “two” (deal for two kilograms of cocaine). They decided to meet at 9:00 p.m.,. At approximately 8:43 p.m., SUTTON called MANZANARES to find out where he was and MANZANARES said that he would be there in five minutes.

255. At approximately 8:42 p.m., surveillance observed SUTTON entering the McDonalds parking lot at 1<sup>st</sup> and North Avenue in Melrose Park driving a silver Chrysler Concord. At approximately 8:55 p.m., surveillance observed a champagne four door Chevrolet Impala (bearing Illinois plates 260E404 which are registered to Magali Manzanares) arrive at the McDonalds parking lot with occupants. The Impala parked next to the silver Concord. The driver of the Impala (later determined to be MANZANARES) exited the Impala and entered the back seat of the silver Concord being driven by SUTTON. At approximately 8:56 p.m., MANZANARES exited SUTTON’S vehicle, opened the door of the Impala and tossed a package into the rear seat. MANZANARES then entered the front driver’s seat of the Impala, retrieved an unknown object (which appeared to be some kind of package that MANZANARES held securely against the side of his body) and reentered SUTTON’S vehicle. (Investigators observed these actions to be consistent with a narcotics transaction in which MANZANARES retrieved money from SUTTON’S vehicle and then obtained the narcotics from the front seat of his car and brought them to SUTTON.) After a brief moment, MANZANARES exited SUTTON’s Concord got into his own car and left

256. On April 13, 2005, at approximately 5:25 p.m. Target Telephone 1 received an incoming call from 708-272-0005. MANZANARES asked SUTTON if he was ready for the “two girls” (two kilograms) and MANZANARES said that he was short from the last two days (SUTTON had not paid him the full amount owed). MANZANARES then said that his “guy” wanted \$18,750 (for a kilogram of cocaine) and SUTTON stated that he could get out for less (he could get a better price). SUTTON told MANZANARES that he would bring the receipts (money owed). Ultimately,

MANZANARES said that SUTTON could have it for “\$18,500 COD” (SUTTON could have the cocaine for \$18,500 a kilogram, paying when he received it). SUTTON agreed to the terms.

257. On April 14, 2005, Target Telephone 1 had a number of calls with 708-272-0005. At approximately 4:45 p.m., MANZANARES called SUTTON and asked if he was “ready” (ready to meet to do the drug deal) and they agreed to meet at 6:30 p.m. MANZANARES and SUTTON had a number of subsequent calls trying to pick a meeting spot (at one point MANZANARES told SUTTON to leave a particular location because a lot of “uniform guys” go there - referring to police presence). In one of the calls at approximately 8:00 p.m., SUTTON asked MANZANARES if he had the “deuce” (two kilograms of cocaine) and MANZANARES confirmed that he did and told SUTTON to “make sure everything is there” (SUTTON has all of the money he owes). Ultimately, in calls at approximately 8:12 p.m., and 8:17 p.m., they decided on a meeting spot and MANZANARES directed SUTTON to the “first small street north of Harlem” (Wabansia Street) and told SUTTON, who said that he was in the “white car” that he was at the stop sign. At approximately 8:22 P.m., surveillance officers observe a male Hispanic exit a black jeep and briefly meet in SUTTON’S white 1999 Buck Regal near 7035 W. Wabansia. At approximately 8:31 p.m., SUTTON and MANZANARES spoke again and discussed meeting the following day. SUTTON stated that he would need “the whole one” (whole kilogram of cocaine) by then and MANZANARES stated that that would not be a problem.

**e. *Examples of Calls Between SUTTON and Wholesale Cocaine Customers***

***Examples of Calls Between SUTTON and Cocaine Customer and Heroin Supplier JAQUES RICE***

258. The calls set forth below demonstrate the relationship between SUTTON and RICE. SUTTON supplies cocaine to RICE and RICE supplies heroin to SUTTON. SUTTON and RICE pay each other for drugs purchased in part with other drugs in return (as opposed to money).

259. On March 20, 2005, at approximately 5:42 p.m., (Call No. 1812), Target Phone 1 received a call from 708-417-4295, a phone used by JACQUES RICE.<sup>53</sup> RICE stated, “You know I owe you that paper, right? But, I’m sayin you can’t ah...give me a little bit”(asking SUTTON if he can be supplied with drugs even though he owes SUTTON money from a previous drug deal).

260. On March 24, 2005, at approximately 9:55 p.m., (Call No. 2611) Target Phone 1 received a call from 708-417-4295. RICE asked SUTTON, “You still want them airforce ones ” (does SUTTON still want a certain quantity of narcotics). SUTTON responded, “Yeah, I’ll get them in the morning” (he will pick up the narcotics in the morning). RICE then asked SUTTON, “Okay well how many you want?” SUTTON replied, “Two” (two of the quantity of narcotics , most likely heroin).

261. On March 27, 2005, Target Phone 1 had a number of calls with 708-417-4295. At approximately 1:50 p.m., SUTTON received a call from RICE and asked RICE that the “nickel” was “for the old one” (asking if the money paid, possibly either \$500 or \$5000, was for a previous drug deal) RICE affirmed. RICE told SUTTON that SUTTON gave him “three” (SUTTON paid an amount of money, either \$300 or \$3000) and SUTTON responded that they are “450” (possibly meaning that he is still owed either \$450 or \$4500). RICE stated that he had to “do” another “nickel” (possibly meaning that he needs to collect another \$500 or \$5000 before he can pay SUTTON). A while later at 7:38 p.m., RICE called SUTTON and they discussed meeting. RICE said that he wanted to give SUTTON “a little change” (money he owed SUTTON).

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<sup>53</sup>Information establishing JACQUES RICE as the user of telephone number 708-417-4295 includes the following. In a number of intercepted calls (Calls 534, 535, 547, 554 and 1336) SUTTON dials 708-417-4295 and reaches the voicemail, which states, “This is Jaques Taylor.” (Investigators are uncertain why he refers to himself with the last name “Taylor.”) Additionally, on March 28, 2005, calls were intercepted between SUTTON and 708-417-4295 indicating that SUTTON and RICE were going to meet at 7:30 p.m., at a particular Sams Club. At approximately 8:04 p.m., surveillance at a parking lot at that Sam’s Club at Cicero and 26<sup>th</sup> Streets observed an individual believed to be RICE and SUTTON exit the store with a grocery cart containing miscellaneous items. Investigators subsequently viewed a drivers license for JACQUES RICE and positively identify him as the individual they had seen leaving the grocery store with SUTTON.

262. On March 29, 2005, Target Phone 1 had calls with 708-417-4295. At approximately 11:56 am, SUTTON called RICE and asked what was happening “with the guy with the whats his name” (asking what is going on with narcotics) RICE asked, “The shoes” (asking if SUTTON was referencing a particular type of narcotics). SUTTON responded, “No, well with the shoes too” (meaning that he was talking about another type of narcotic but would like to know about the other type “the shoes” as well). SUTTON continued to ask about “the shoes” and then said “them hammers and shit” (possibly a reference to guns). RICE finally said that he was confused and that he will “bump into” him (meet to talk in person). A couple minutes later at 11:58 am, RICE called back and said that he now knew what SUTTON was talking about and that he “got caught dropping them off” (possibly meaning that he was stopped by the police with narcotics)

263. On March 30, 2005, at approximately 12:51 p.m., (Call 3279) Target Phone 1 called 708-417-4295. SUTTON told RICE that he “needs them gym shoes” (a certain type of narcotics) and RICE asked if he needed a “ten and a half” (particular type of drug). RICE then said that he did not have anymore and all he had were “tens and nines” (does not have the type SUTTON is asking for and only has other narcotics to sell). SUTTON said that he would take a pair of tens. A few seconds later RICE called SUTTON and asked, “You don’t do nothing soft” (does SUTTON sell powder cocaine as opposed to “hard” or crack cocaine). SUTTON stated that he did. RICE asked “How much?” SUTTON told him “sixty third and up 1250” (referring to a 63 grams - 2 1/4 ounces of a cocaine - for \$1250)

264. On April 6, 2005, at approximately 1:23 p.m., (Call No. 4372) Target Phone 1 called 708-417-4295. SUTTON asked RICE, “Trying to see if you is ready to check out” (pick up narcotics) RICE responded, “Awe I’ll be ready. I got something for you, I’ll be ready to check out later on, completely check out” (RICE has narcotics for SUTTON). Later in the call, RICE said to SUTTON, “My man’s got some shoes though” (a reference to another type of narcotic than the one previously discussed). SUTTON stated, “Ok.” RICE responded, “You want some?” SUTTON

replied, “Uh, ten and a half”(asking for a certain narcotic). RICE said, “How many you want? Huh?” SUTTON replies “Two” (SUTTON stated that he will take a quantity of “two” of the narcotic).

265. On April 12, 2005, Target Phone 1 had a number of calls with 708-417-4295. At approximately 10:54 am, SUTTON called RICE and asked if he was around “to get those gym shoes” (SUTTON is asking for RICE to bring narcotics) and RICE said he would be there at about 12:30. Later in the day at approximately 5:56 p.m., RICE called SUTTON and asked SUTTON if they still had “shoes” (possibly asking if SUTTON still needed narcotics) and SUTTON responded, “They are still here” to which RICE responded, “Do they still want them” (possibly asking if SUTTON still has customers waiting on RICE to deliver). RICE said that he would “bring it” to him now (bring narcotics to SUTTON). At approximately 7:04 p.m., RICE called SUTTON and told him that he would be over in five minutes “with the shoes” (narcotics).

266. On April 13, 2005, Target Phone 1 had a number of calls with 708-417-4295. At approximately 3:05 p.m., RICE called SUTTON and asked if he was ready for him. SUTTON told RICE that he was “two ten” behind (RICE owes SUTTON money, possibly \$2100). Shortly thereafter, at approximately 3:15 p.m., RICE called SUTTON and asked “How much?” SUTTON again said “two ten.” RICE then told SUTTON that he gave SUTTON “four” and “the shoes” and that made “five” (RICE had paid SUTTON money, possibly \$4000, and given him narcotics, possibly \$1000 worth, and that made a total of “five,” possibly \$5000). SUTTON corrected RICE and said that RICE had given him “three” and “the shoes” and reassured RICE that it was “two ten.” They then agreed to meet no later than 5:00 p.m. At approximately 7:52 p.m., SUTTON called RICE and told RICE that he must have forgotten about “them shoes” (narcotics) and RICE said that he was on his way back with them. A while later at 8:41 p.m., RICE called SUTTON and told him “the guy with the shoes” (has the narcotics) is here and asked where SUTTON wanted to meet. They then agree on a meet location.

267. On May 6, 2005, at approximately 3:06 p.m., (Call 27) Target Phone 3 called 708-417-4295. SUTTON informed RICE, “What I’m saying it was five dollars, it was five.” RICE



responded, “Yeah, I know but I’m only counting four, so that what I’m saying I guess I went back there I’m like man you said a five right?” RICE then asked SUTTON, “So you want me to get on huh this one and a half?” SUTTON replied, “Hmm.” RICE continued, “Or just give him the one like I said the other piece when he comes back with eight?” SUTTON finally responded, “Yeah just give the one for now.” RICE then said, “Okay he gone come back with the whole eight and I got a nickel for you off one so huh when you get back this way just call me um gone give you nickel.” (RICE and SUTTON are discussing the fact that RICE owes SUTTON money from a previous narcotics transaction.)

268. On May 12, 2005, investigators stopped a vehicle driving erratically by an individual observed to be RICE. RICE and the two other individuals in the car were asked to step out. RICE got out of the car and fled. Investigators observed him throw several small items onto the pavement. Investigators immediately recovered the items and later determined them to be four ziplock packets of a substance that field tested positive for the presence of crack cocaine. RICE was placed into custody and was positively identified. RICE was subsequently released.

**Examples of calls between SUTTON and cocaine customer RON ALLEN**

269. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer ALLEN. They establish that SUTTON and ALLEN have engaged in multiple completed drug deals.

270. On March 9, 2005, at approximately 10:51 p.m., Target Telephone 1 received a call 773-407-7870, a phone used by RON ALLEN.<sup>54</sup> During the call, ALLEN asked SUTTON if he had

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<sup>54</sup>Information establishing RON ALLEN as the user fo telephone number 773-407-7870 includes the following. During an intercepted telephone conversation on March 9, 2005, at approximately 11:43 p.m., (Call No. 209) SUTTON called telephone number 773-407-7870 and stated, “Hey Ron, it’s Ant...” after receiving a voice message prompt. On March 16, 2005, at approximately 11:37 am (Call No. 1153), 773-407-7870 called SUTTON on Target Phone 1. During the conversation (described in detail below) SUTTON and ALLEN made arrangements for ALLEN to pick up drugs from SUTTON’s van parked in front of his house. At approximately 12:30 p.m., surveillance at SUTTON’s residence at 536 N. Lombard in Oak Park observed an individual pull up, exit his car, and retrieve something from the front passenger seat area of SUTTON’s van. At approximately 12:43 p.m., SUTTON, using Target Phone 1 called 773-407-787 and asked, “You grabbed it?” ALLEN responded, “Yeah, I just

“that flavor, the white shit” (referring to narcotics, possibly cocaine) to which SUTTON responds that he would check (to see what he has available to sell).

271. On March 10, 2005, at approximately 9:17 p.m., 773-407-7870 called Target Phone 1. ALLEN told SUTTON that he (referring to an unknown person) wanted “to go the way we went the other time” (referring to the manner in which a previous drug deal was conducted). SUTTON responds “the 18<sup>th</sup> floor” (eighteen ounces - one-half kilogram - of cocaine) and ALLEN acknowledged. SUTTON and ALLEN then had a discussion about what size “cheeseburger” and “french fries” (quantity of something, most likely money or cocaine) the person is going to “do” or “drop.”

272. On March 16, 2005, at approximately 11:37 am (Call No. 1153) 773-407-7870 called Target Phone 1. During the conversation ALLEN told SUTTON that he needed to come pick up “airforce ones, size nine’s” (nine ounces - one-quarter kilogram - of cocaine). SUTTON informed ALLEN that he was going to leaving the passenger side door open on the van and he is going to put “it under the passenger seat” and that the van was parked at his “crib” (the drugs will be under the passenger seat of his van which is parked at his home). At approximately 12:43 on the same day (Call No. 1168) Target Phone 1 called 773-407-7870. SUTTON asked ALLEN him if he “got what I had left for you” ALLEN responded “Yeah” (confirming that ALLEN picked up the cocaine).

273. On March 17, 2005, at approximately 1:26 p.m., (Call No. 1290) Target Phone 1 received a call from 773-407-7870. ALLEN told SUTTON that “that thing came back off white” (cocaine that he purchased from SUTTON had turned an off white color after being mixed into crack cocaine). SUTTON responded to ALLEN by stating, “I spent the same record and it did what it was supposed to do” (reassuring ALLEN that he had done the same thing to the cocaine and it came out,

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left.” An investigator who observed the individual who retrieved the items from SUTTON’s van also reviewed a photograph taken from records for Illinois driver’s license for RON ALLEN and positively identified ALLEN as being the person who had retrieved the item from SUTTON’S vehicle.

as far as he was concerned, normal). SUTTON continued, “everybody’s DJ is different” (everybody is different on how they prepare cocaine into crack).

274. On April 5, 2005, at approximately 7:57 p.m., (Call No. 4327) Target Phone 1 received a call from 773-407-7870. ALLEN asked SUTTON if he can go “past four and a half”(if SUTTON has a certain quantity of cocaine, most likely four and a half ounces - one-eighth of a kilogram). SUTTON responded by asking, “Them Nikes, huh” (a reference to a specific quantity or kind, most likely cocaine). ALLEN replied, “Yeah” (confirming what he wanted). SUTTON then informed ALLEN that he had to go by his home (to retrieve the drugs).

275. On April 6, 2005, at approximately 12:26 p.m., (Call No. 4364) Target Phone 1 received a call from 773-407-7870. ALLEN informed SUTTON him that he was waiting on someone “to bring him three hundred but he did not want to ride around with that money” (still waiting for someone to bring him three hundred and wants to drop off the money he owes SUTTON because he is not comfortable riding around with funds from the sale of drugs). ALLEN told SUTTON that he was near his home and would stop by. At approximately 1:21 p.m., (Call No. 4371), Target Phone 1 called 773-407-7870. SUTTON told ALLEN, “That was twenty four dollars” (indicating that the money ALLEN had given him was short). ALLEN responded “Yeah, dude still owes three bucks” (reminding SUTTON of the earlier conversation that he is waiting for another person to bring him “three hundred”).

276. On April 9, 2005, Target Phone 1 had a number of calls with 773-407-7870. At approximately 3:50 p.m., ALLEN called SUTTON and asked if he had “them airforce ones in size 9” (nine ounces of cocaine) and SUTTON said that he did. They made arrangements to speak around 9:00 p.m.,. At approximately 9:06 p.m., SUTTON called ALLEN and they made arrangements to meet in the “same spot” at 9:30 p.m.,. At approximately 10:40 p.m., SUTTON called ALLEN and said that he will have some “clothes” (more narcotics) either the following day or Monday.

277. On April 14, 2005, at approximately 12:39 p.m., Target Phone 1 received a call from 773-407-7870. ALLEN asked SUTTON if he had “any airforce ones” (cocaine) and then told

SUTTON he was around the corner. At approximately 12:47 p.m., ALLEN using the same number called SUTTON again on Target Phone 1 and said that he was outside.

**Examples of calls between SUTTON and cocaine customer ANTHONY HARDMON**

278. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer HARDMON. They establish that SUTTON and HARDMON have engaged in multiple completed drug deals.

279. On March 20, 2005, at approximately 7:28 p.m., Target Phone 1 received a call from 773-447-8711 used by ANTHONY HARDMON.<sup>55</sup> HARDMON asked SUTTON if he was in the area and SUTTON replied that he would be in twenty minutes. HARDMON told SUTTON to “bring the usual” (usual type and quantity of narcotics he purchases from SUTTON).

280. On March 21, 2005, at approximately 1:48 p.m., Target Phone 1 received a call from 773-447-8711. HARDMON referenced about “ol girl from last night you gave me” (cocaine he had purchased from SUTTON) and asked if it “take[s] a long time until it comes together” (asking whether it takes a long time for the powder cocaine to solidify during the cooking process into crack cocaine). A few minutes later at approximately 1:54 p.m., HARDMON called SUTTON again and said that it was coming up “short” and was “coming together” but wouldn’t “harden.” HARDMON

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<sup>55</sup>Information establishing ANTHONY HARDMON as the user of 773-447-8711 includes the following. First, ANTHONY HARDMON is the subscriber to telephone number 773-447-8711 at 4923 West Kamerling, Chicago, Illinois. Second, on April 13, 2005, at approximately 10:03 am (Call No. 5830), Target Phone 1 received a call from 773-447-8711. SUTTON agreed to deliver some narcotics to HARDMON at his (HARDMON’s) residence. Based on the call surveillance was established in the vicinity of HARDMON’S home. At approximately 10:27 am, SUTTON called HARDMON at telephone number 773-447-8711 and instructed HARDMON to come outside. At that point, surveillance officers confirmed that the arrest photograph they had previously for ANTHONY HARDMON was indeed the same individual who entered SUTTON’s vehicle. Third, investigators learned that ANTHONY HARDMON was scheduled to appear in court on May 12, 2005,. On that date at approximately 9:05 p.m., surveillance at the court building observed an individual believed to be ANTHONY HARDMON exit a gold Pontiac Grand Prix bearing Illinois license plate 6752551. Illinois Secretary of State records show that the license plates are registered to ANTHONY HARDMON at 4923 West Kamerling, Chicago, Illinois. At approximately 9:11 am, an investigator conducting surveillance officers placed a covert telephone call to 773-447-8711. One of the other investigators surveilling HARDMON observed him answered his cellular telephone and hang up after several seconds.

explained that it was “like cake.” (The powder cocaine is not processing properly into crack cocaine as it will not harden.) SUTTON responded that it was “one of the bad ones” (cocaine that was not of good quality). HARDMON asked what he should do and SUTTON said to “grab it from him” and “give him his receipts” (indicating that HARDMON may have sold the cocaine to another individual and SUTTON was suggesting that HARDMON get the cocaine back and give the other individual his money back). HARDMON stated that he still had the other “sixty-three” (other sixty-three grams of cocaine).

281. On April 5, 2005, at approximately 7:47 p.m., Target Phone 1 received a call from 773-447-8711. HARDMON called SUTTON and said that he “need[s] the other piece to make it a 4.5” (needs more cocaine in order to make the amount he has add up to 4.5 ounces - 1/8 of a kilogram). They arranged to meet in ten minutes.

282. On April 8, 2005, at approximately 6:52 p.m., Target Phone 1 received a call from 773-447-8711. HARDMON asked SUTTON to bring one of those “small cars” or the “same thing” (type and quantity of narcotics, same as he has purchased previously). At approximately 7:14 p.m., (Call No. 5143) HARDMON called SUTTON again. HARDMON informed SUTTON, “Yeah, go on and make it my usual” (HARDMON wanted the same amount and type of narcotics he usually buys). SUTTON asked, “Huh?” HARDMON repeated, “Go on and make it the usual.” SUTTON responded, “Ok, I am” (SUTTON agreed to give HARDMON the amount he has purchased previously.) SUTTON then informed HARDMON that he has to go home first and will be back out later.

283. On April 9, 2005, at approximately 9:44 p.m., (Call No. 5317) Target Phone 1 called 773-447-8711. HARDMON asked SUTTON, “Hey, what time do you think you goin be done at the laundry mat” (when will SUTTON be done preparing the narcotics for sale). SUTTON responded, “I suppose to been through yesterday but shit got all criss crossed man yesterday man so my people been on hold but one of them I owe.” Later in the conversation, SUTTON stated, “But I got like ahhh got like a portion of it already done if you want to, well tomorrow, tomorrow I’ll have the majority

of it all, all folded and washed, you know what I sayin washed and everything” (SUTTON has a portion of the narcotics prepared and will have the majority done by the next day).

284. On April 10, 2005, at approximately 4:17 p.m., (Call No. 5430) law enforcement intercepted a incoming call to Target Phone 1 from 773-447-8711. During the conversation HARDMON asked SUTTON, “You need that” (does SUTTON need the money HARDMON owes him from a previous drug deal). SUTTON responded, “Yeah, if you got it ah, around.” HARDMON told SUTTON, “I got it I got ah matter a fact I only got one third of it” (has a third of what he owes). SUTTON stated, “Ok.” HARDMON then stated, “Still got the rest. I still got the rest other two other two...together, I got like ah twelve dollars and fifty cents” (has an amount for SUTTON, possibly \$1250).

285. On April 13, 2005, at approximately 10:03 am (Call No. 5830), Target Phone 1 received a call from 773-447-8711. HARDMON asked SUTTON to bring him “something.” SUTTON agreed come in about ten minutes. SUTTON stated that he had a “sixty third” (sixty-three grams - 2 1/4 ounces - of cocaine). At approximately 10:27 am, surveillance in the vicinity of HARDMON’S home at 4923 West Kamerling, Chicago observed SUTTON arrive. At that time, SUTTON called HARDMON and told him he (SUTTON) was outside. Surveillance observed HARDMON come out of the residence and get into the front seat of SUTTON’S car and then get back out.

**Examples of calls between SUTTON and cocaine and marijuana customer JONATHAN BROWN**

286. The calls set forth below demonstrate the relationship between SUTTON and cocaine and marijuana customer BROWN. They establish that SUTTON and BROWN have engaged in multiple completed drug deals.

287. On March 13, 2005, at approximately 6:25 p.m., (Call 792), Target Telephone 1 received a call from 773-287-0241, used by JONATHAN BROWN.<sup>56</sup> BROWN informed

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<sup>56</sup>Information establishing JONATHAN BROWN as the user of 773-287-0241 and 773-540-7159 includes the following. First, in a call intercepted with Target Phone 1 (Call 6096), the caller identified himself as “Jonathan.” Second, on March 24, 2005, BROWN using

ANTHONY SUTTON that he (BROWN) was approached by an unnamed male who asked BROWN about the “licks” (drug spot). The unnamed male then threatened to “rob” anyone who was found selling narcotics on a certain porch or within a certain gated area (location of either specific area undetermined). BROWN indicated the unnamed male had approached him from the 1000 block by Augusta. BROWN related to the unnamed male the he is not the only one “who knows how to rob.”

288. On March 17, 2005, at approximately 8:33 am (Call 1252), Target Telephone 1 called 773-287-0241. BROWN informed SUTTON that an unknown female had taken \$1000.00 from his “room.” BROWN expressed that he has to “hustle for every penny.” BROWN related that he wants to “holler” with SUTTON (to discuss an apparent debt owed to SUTTON that BROWN is now unable to repay). BROWN threatens to “set her on fire.”

289. On March 19, 2005, at approximately 10:27 am (Call 1565), Target Telephone 1 received a call from BROWN who informed SUTTON that he want “to rotate “ with him and needs some “greens” (marijuana). SUTTON replied he would call back in ten minutes.

290. On March 20, 2005, at approximately 12:14 p.m., (Call 1782), Target Telephone 1 placed a call to 773-287-0241 wherein BROWN stated he was “waiting on” SUTTON. SUTTON responds he is trying to “pick up them greens for you” (marijuana) and it won’t be that long.

291. On March 20, 2005, at approximately 2:05 p.m., (Call 1791), Target Telephone 1 received a call from 773-287-0241. BROWN asked SUTTON if he “picked them greens” (marijuana). SUTTON indicated he was going to call now and get them.

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773-287-0241 spoke to SUTTON and told him his new telephone number (773-540-7159). third, on April 14, 2005, SUTTON spoke to BROWN who was using 773-540-7159(Call 6096) and they agreed to meet at a particular restaurant. Investigators conducting surveillance at that location observed an individual identified as JONATHAN BROWN based upon an CPD arrest photo talking to SUTTON who was in a white Buick Regal. Additionally, BROWN got into a Chevy Lumina (that Illinois Secretary of State records confirm is registered in the name of JONATHAN BROWN at 1127 N. Parkside) and investigators followed him to 1127 N. Parkside (which is the address that appears on past arrest reports for BROWN) and observed him use a key and enter that residence.

292. On March 21, 2005, at approximately 3:36 p.m., (Call 1926), Target Telephone 1 received a call from 773-287-0241. BROWN asked SUTTON if he was “going to bring Ol’ girl” (cocaine). SUTTON stated he would bring “it” later.

293. On March 24, 2005, at approximately 3:48 p.m., (Call 2585) Target Telephone 1 received a call from 773-540-7159. BROWN who stated he had called SUTTON to supply him with his (BROWN) new telephone number (773-540-7159).

294. On March 28, 2005, at approximately 12:50 p.m., (Call 2980) Target Telephone 1 received a call from 773-540-7159. SUTTON explained he was “getting some new clothes” (cocaine) in a minute. BROWN described an item as being “chalky” (crack cocaine that had not mixed properly). SUTTON then reassured BROWN stating “I got your new clothes today...it’s gonna be cool in a sec.”

295. On March 29, 2005, at approximately 6:53 p.m., (Call 3222), Target Telephone 1 received a call from 773-540-7159. BROWN explained to SUTTON that “Ol’ girl” is going soft on him (crack cocaine not mixing properly). BROWN continued saying that it is thick, but it is going soft. BROWN then asked SUTTON if he would like to come by and “grab her” (cocaine). SUTTON stated he would.

296. On March 30, 2005, at approximately 6:45 p.m., (Call 3329), Target Telephone 1 received a call from 773-540-7159. BROWN spoke with SUTTON discussing a shipment from “UPS” (narcotic delivery) that had come. SUTTON explained the “guy” hasn’t called him and he has been waiting. BROWN requested SUTTON call him later.

297. On April 1, 2005, at approximately 9:10 am (Call 3548), Target Telephone 1 received a call from 773-540-7159. SUTTON told BROWN he was going to “slide by” him in a minute (deliver narcotics).

298. On April 3, 2005, at approximately 3:42 p.m., (Call 3883), Target Telephone 1 received a call from 773-540-7159. BROWN spoke with SUTTON asking if he (SUTTON) had any



“greens” because he needs two (pounds of marijuana) as soon as possible. SUTTON stated he will call his guy and call BROWN again.

299. On April 5, 2005, at approximately 11:58 am (Call 4227), Target Telephone 1 called 773-540-7159. SUTTON explained to BROWN the “hot boys” (police) have been driving around and SUTTON will “slide by” (deliver narcotics) to him in a little while.

300. On April 6, 2005, at approximately 9:42 p.m., (Call 4451), Target Telephone 1 received a call from 773-540-7159. BROWN explained to SUTTON that “those collard greens” (pounds of marijuana) were “two oranges” (two ounces) off. BROWN continued they “are like dried up” and BROWN told SUTTON he had to go back and use the “measurer” (re-weigh on a scale) on it again. BROWN informed SUTTON that he was going to “hit this cat” (deliver to an individual) but it was short two oranges.

301. On April 8, 2005, at approximately 8:30 p.m., (Call 5157), Target Telephone 1 received a call from 773-540-7159. SUTTON told BROWN he is going to “rotate” (deliver narcotics) to BROWN in a minute. BROWN says he will be waiting. At approximately 8:57 p.m., (Call 5161), SUTTON called BROWN. SUTTON explained to BROWN he had given his “boy” some “airforce ones” (undetermined amount of narcotics) and he (SUTTON) was given some “short receipts” (money). SUTTON continued stating he was “shorted 40 bucks” (either \$400.00 or \$4000.00).

302. On April 9, 2005, at approximately 5:15 p.m., (Call 5293), Target Telephone 1 received a call from 773-540-7159. BROWN asked SUTTON if he knew anyone who had those “vitamins” (undetermined narcotics) SUTTON said he would check around. BROWN requested SUTTON call him back.

303. On April 10, 2005, at approximately 11:25 am (Call 5354), Target Telephone 1 received a call from 773-540-7159. BROWN spoke with SUTTON who said he is heading over that way (towards BROWN location). At approximately 1:34 P.m., BROWN called SUTTON and asks if he has anything “ready” for him. SUTTON replied he is bringing out some “clothes” (narcotics)

in a minute. At approximately 3:09 P.m., (Call 5403), SUTTON called BROWN and BROWN told SUTTON to “come slide”(deliver narcotics) on him. At approximately 3:17 p.m., (Call 5404), SUTTON called BROWN again and said “here I come.” At approximately 3:43 P.m., (Call 5425) SUTTON again called BROWN and instructed BROWN to tell “Tiny” that he (SUTTON) is going to “set some clothes out” (deliver narcotics) and he will be right back. BROWN told SUTTON to “set” him (BROWN) up (supply with narcotics.) SUTTON replied, okay.

304. On April 11, 2005, at approximately 9:33 am (Call 5479), Target Telephone 1 received a call from 773-540-7159 who asked SUTTON if he had talked to a certain individual. SUTTON asked what do you want “the green” (marijuana). BROWN responded, yes. At approximately 6:53 p.m., (Call 5516), BROWN called SUTTON and asked SUTTON if he “caught up with” that individual. SUTTON stated “dude” is going to call back. At approximately 4:02 p.m., (Call 5546), BROWN again called SUTTON. SUTTON told BROWN that he is going to call “him” (the individual) now. At approximately 4:03 p.m., (Call 5548) SUTTON called BROWN and stated that he talked to “him” (the individual) who was on 55<sup>th</sup> and that “he” will call us when he gets to the crib. At approximately 5:07 p.m., (Call 5572), SUTTON called BROWN and related “he” (the individual) is at the “crib” on Polk and will give you “two” (pounds of marijuana) if you want. BROWN says he will “slide” by and grab them. At approximately 5:24 p.m., (Call 5575), BROWN called SUTTON and instructed SUTTON to “call him” (the individual) and tell him “I’m on Polk.” At approximately 5:25 p.m., (Call 5577), SUTTON called BROWN and said “he” (the individual) was on the porch.

305. On May 6, 2005, at approximately 7:10 p.m., (Call 80), Target Telephone 3 received a call from 773-540-7159. SUTTON told BROWN that he (SUTTON) is “putting on some clothes” (preparing narcotics for delivery).

306. On May 8, 2005, at approximately 9:39 p.m., (Call 381), Target Telephone 3 placed a call to 773-540-7159. SUTTON explained to BROWN that he is “working on it” (acquiring narcotics) but it will be in the morning. BROWN said he will be ready for him.

307. On May 9, 2005, at approximately 3:32 p.m., (Call 479), Target Telephone 3 received a call from 773-540-7159. BROWN informed SUTTON that he is waiting on him. SUTTON says “they” did not call him yet.

308. On May 13, 2005, at approximately 10:38 am (Call 1369), Target Telephone 3 received a call from 773-540-7159 who told SUTTON he needs to go down “south” (purchase a quantity of cocaine.) SUTTON replied around 1:00 p.m., .At approximately 6:10 p.m., (Call 1477), BROWN called SUTTON and asked SUTTON if he can give “dude” (unknown person) his number. SUTTON asks “what does he want?” BROWN replied he”he” has money for “a sixty third” (four and a half ounces of a narcotic). SUTTON stated, no he doesn’t want to “get stuck.” BROWN then supplied SUTTON with the telephone number for “dude.”. At approximately 8:45 p.m., (Call 1511), SUTTON called BROWN and told BROWN that he is pulling up. BROWN asked SUTTON to let him get his “receipts” (money) together.

**Examples of calls between SUTTON and cocaine customer MICHAEL PINKNEY**

309. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer PINKNEY. They establish that SUTTON and PINKNEY have engaged in multiple completed drug deals. Additionally, they also show that PINKNEY assists SUTTON by obtaining cars to have trap compartments installed for the transportation of narcotics.

310. On March 15, 2005, at approximately 10:27 am, Target Phone 1 received a call from 773-968-1343, a phone used by MICHAEL PINKNEY.<sup>57</sup> PINKNEY told SUTTON that he was

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<sup>57</sup>Information establishing MICHAEL PINKNEY as the user of 773-968-1343 includes the following. On March 12, 2005, at approximately 10:59 am, Target Phone 1 called 773-968-1343. During the call, which went into the voice mail of PINKNEY, ANTHONY SUTTON, stated, “Mike, hit me up.” Also, on April 28, 2005, at approximately 9:00 am surveillances observed PINKNEY exit his residence at 15045 S. Dante, Dolton, Illinois. The surveillance observed PINKNEY speaking on a cellular telephone. Surveillance officers viewed an arrest photo of PINKNEY and confirmed that he was the same person they saw exiting the residence. On May 20, 2005, while surveilling PINKNEY a surveillance officer placed a telephone call to 773-968-1343 and observed PINKNEY answer his cellular telephone.

headed out to the auto auction. SUTTON told PINKNEY that he had sold his Taurus (a car that according to CW1 SUTTON had a trap compartment installed).

311. On March 16, 2005, Target Phone 1 had a number of calls with at 773-968-1343. At approximately 9:16 am, SUTTON called PINKNEY and told him that he needed a minivan. PINKNEY called SUTTON from the auto auction at approximately 10:56 am from the auction and discuss the possible purchase of a particular van.

312. On March 18, 2005, at approximately 10:23 am, Target Phone 1 called 773-968-1343. SUTTON instructed PINKNEY to take the van “straight out to [CW1].” (PINKNEY purchased a white van for SUTTON. SUTTON instructed PINKNEY to take the van to CW1 to have a trap installed. The van was brought to CW1 who installed the trap in the vehicle, which SUTTON later provided to ANSELMO ZEPEDA. ZEPEDA, who at the time of this investigation was a fugitive on three federal warrants, was ultimately arrested driving tandem with the white van.)

313. On March 22, 2005, at approximately 5:50 p.m., Target Telephone 1 received a call 773-968-1343. PINKNEY and SUTTON discussed a “T-shirt”(quantity of narcotics).

314. On March 28, 2005, at approximately 8:18 p.m., Target Phone 1 called 773-968-1343. PINKNEY talked to SUTTON about a “jersey” (narcotics) and referred to “washing it” (processing the narcotics).

315. On April 1, 2005, at approximately 6:50 p.m., Target Phone 1 received a call from 773-968-1343. SUTTON and PINKNEY discussed “jerseys” and SUTTON explained that he was having trouble getting them but the “top guy” would be there in the morning. (SUTTON was having trouble getting narcotics but would be with a supplier in the morning. As discussed below, SUTTON was expecting six kilograms of cocaine from supplier GUMERCINDO OROZCO, which was seized by law enforcement on March 31, 2005,.)

316. On April 3, 2005, at approximately 6:57 p.m., Target Phone 1 received a call from 773-968-1343. PINKNEY stated that he was on “standstill” (had no narcotics to sell). PINKNEY further told SUTTON that he needed a “nine jersey” for his people (nine ounces of cocaine for his

customers). SUTTON stated that he had a “demo, a whole tire” that is already gone (has sold a kilogram of cocaine)

317. On April 4, 2005, at approximately 11:03 am, Target Phone 1 received a call from 773-968-1343. PINKNEY asked SUTTON if he had heard any news (had he heard anything from his supplier). SUTTON told PINKNEY that he was waiting to hear something and would call PINKNEY when he did. (SUTTON is still looking for narcotics after not having been supplied by OROZCO on March 31.)

318. On April 20, 2005, at approximately 6:39 p.m., Target Phone 1 received a call from 773-968-1343. PINKNEY asked where SUTTON was. SUTTON said that he would be there in ten minutes. PINKNEY stated that he had people waiting (customers waiting for narcotics PINKNEY was obtaining from SUTTON).

319. On April 30, 2005, Target Phone 1 had a number of calls with 773-968-1343. At approximately 2:27 p.m., PINKNEY called SUTTON and told him that he (PINKNEY) had someone “on standby” for a “double jersey” (has a drug customer waiting for a quantity of narcotics). Shortly thereafter at approximately 2:42 p.m., PINKNEY called SUTTON again and SUTTON told PINKNEY that it would be about an hour. SUTTON also stated that he had “some” but that it was for another individual (narcotics that he had at the moment were going to another customer). PINKNEY said that his “people” are “ready now” (PINKNEY’s customers are waiting for narcotics now). At approximately 2:51 p.m., PINKNEY called SUTTON again, who told PINKNEY that he was waiting on his “guy” (supplier) to call him. PINKNEY reiterates that he’s got his people waiting on it (his customers are waiting to be supplied). Later that day, at approximately 7:34 p.m., PINKNEY called SUTTON again. SUTTON told PINKNEY that he was going to “holler” at him. PINKNEY and SUTTON discussed meeting in twenty minutes, and PINKNEY said that he needed “seven jerseys” (seven of a quantity of narcotics).

320. On May 7, 2005, at approximately 2:00 p.m., Target Phone 3 received a call from 773-968-1343. SUTTON and PINKNEY discussed the fact that things have not been normal since

the old man (ANSELMO ZEPEDA) was arrested. SUTTON told PINKNEY, “Yep, that shit's been fucked up since the old mans been gone man...” PINKNEY asked SUTTON, “Yep, where the old man at though, he out of town?” SUTTON responded, “No, they had got him on some Indiana shit, some shit that happened in Indiana or whatever...” (One of the outstanding warrants for ZEPEDA’s arrest was a federal warrant out of Indiana. Shortly after ZEPEDA’s arrest on April 2, 2005, he was taken into custody by federal agents from Indiana and remains in that district.) A little later in the conversation PINKNEY stated, “Why this shit crazy you probably have to god dammit find another out, you know what I'm sayin', fuckin' ridiculous...”(telling SUTTON that he is going to have to find another source).

321. On May 14, 2005, at approximately 4:31 (Call No. 1642) Target Phone 3 received a telephone call from 773-968-1343. PINKNEY told SUTTON that he “needs a jersey”(ordering a quantity of drugs from SUTTON).

322. On May 17, 2005, at approximately 6:21 (Call No. 2073) Target Phone 3 received a telephone call from 773-968-1343. PINKNEY told SUTTON, “I need a jersey, I could use a jersey. I got people waiting” (ordering a quantity of drugs from SUTTON and has customers waiting to be supplied with narcotics).

**Examples of calls between SUTTON and cocaine customer WILLIE SMITH**

323. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer SMITH. They establish that SUTTON and SMITH have engaged in multiple completed drug deals.

324. On April 16, 2005, Target Phone 3 had a number of calls with 773-593-4768 used by WILLIE SMITH.<sup>58</sup> At approximately 8:38 p.m., SMITH called SUTTON and said that “it’s not

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<sup>58</sup>Information linking WILLIE SMITH to telephone number 773-593-4798 includes the following. Telephone number 773-593-4798 is registered to Willie Smith at 2659 W. 69<sup>TH</sup> Street, Chicago, Illinois. On March 18, 2005, at approximately 3:32 p.m., (Call No. 33) the caller from 773-593-4798 spoke with SUTTON and near the beginning of the conversation stated, “Yeah this is Willie man.” Additionally, on May 1, 2005, at approximately 9:45 am an investigator conducting surveillance observed SMITH exit his residence at 7051 S. Aberdeen, Chicago, Illinois. The investigator placed a covert telephone call to 773-593-4798 and

acting right” and he “can’t do anything with it” (he is having trouble processing the narcotics, most likely cooking powder cocaine purchased from SUTTON into crack cocaine). At approximately 10:35 p.m., SMITH and SUTTON spoke again.<sup>59</sup> They discussed meeting and SUTTON told SMITH that he had “new clothes” and could “do that” for SMITH (has a new supply of narcotics and is able to sell to SMITH). At approximately 11:09 p.m., (Call No. 6428), SMITH called SUTTON and SUTTON informed SMITH, “I’m uh gett’in those clothes together now for you” (preparing and/or packaging narcotics for SMITH). SMITH said, “Okay.”

325. On April 30, 2005, at approximately 3:53 p.m., (Call No. 7046) Target Phone 3 received a call from 773-553-4798. SMITH told SUTTON, “Man them, them clothes pretty, pretty clean.” (SMITH is very happy with the quality of narcotics he purchased from SUTTON.) SUTTON responded, “ahh yeah, I told you know what I’m saying?” SMITH then said, “Got a got a guy here talking about he needs to put some more clothes in there so I don’t know.... I’m kinda putting you on alert.” (SMITH will likely be needing to be resupplied soon.)

326. On May 6, 2005, at approximately 12:21 p.m., Target Phone 3 received a call from 773-553-4798. SMITH told SUTTON that he was “in the red” and asked if he could have until tomorrow. SMITH further stated that he had “five” right now and can pay the rest tomorrow. (SMITH has only “5” - possibly a reference to \$500 - of what he owes SUTTON and wants to have until the next day to pay the remainder owed.)

327. On May 10, 2005, at approximately 12:46 p.m., Target Phone 3 received a call from 773-553-4798. SMITH said that he wanted to get “back on the clock” (wanted to purchase narcotics from SUTTON). SUTTON said that he “had the clothes” but the “bread is hard” and asked if SMITH wanted the “soft pack.” (SUTTON has cocaine to sell to SMITH but it is cooked into crack.

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observed SMITH answering a cellular telephone and heard SMITH answering, “Hello.”

<sup>59</sup>Due to a technical difficulty, the number from which SMITH was calling and the direction of the call is not recorded at this time. Investigators believe the speaker on the call to be SMITH based upon a voice comparison to other calls intercepted from the number used by SMITH.

SUTTON asked SMITH if he wanted it in powder form.) SMITH acknowledged that he did want it “soft pack” and they made plans to meet around 2:00 p.m.,. At approximately 5:12 p.m., SMITH called SUTTON again. SUTTON told SMITH that he would call him back. SMITH told SUTTON that he was “depending” on SUTTON.

328. On May 11, 2005, at approximately 1:07 p.m., (Call No. 65), Target Phone 3 received a call from 773-593-4798. SMITH told SUTTON that his (SUTTON’S) number was “off” in that it was “supposed to be 63” and it was “59.” (SUTTON has shorted SMITH on the cocaine by four grams.) SUTTON then tells SMITH that he (SUTTON) owes SMITH four dollars (SMITH has not paid money, likely \$400, owed to SUTTON)

**Examples of calls between SUTTON and customer JYWANZO LOYD and SHAMON GRIFFIN**

329. The calls set forth below demonstrate the relationship between SUTTON and crack cocaine customer LOYD and LOYD’S courier GRIFFIN. They establish that SUTTON and LOYD have engaged in multiple completed drug deals and also that SUTTON has met with LOYD to attempt to teach him how to cook powder cocaine into crack cocaine.

330. On March 17, 2005, at 11:26 am (Call 1279) Target Phone 1 received a call from (773) 378-8610, a phone used by JYWANZO LOYD.<sup>60</sup> LOYD told SUTTON that he “owes him 1,100 and has 800 now” (money owed for previous narcotics transaction). LOYD wants to get “one of them things” (crack cocaine). SUTTON told LOYD that he does not have anyone to “spin it around” because his landlord is in the building (he is unable to convert the powder cocaine into crack cocaine because the landlord is present at the location where he normally completes the process).

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<sup>60</sup>Information establishing JYWANZO LOYD as the user of 414-610-3098, 414-933-4720 and 414-933-7965 includes the following. The telephone number 414-610-3098 is registered in the name of Jywanzo Loyd at 3916 W. Lisbon Avenue, Milwaukee, Wisconsin. On March 18, 2005, as discussed in greater detail below, investigators intercepted calls between SUTTON and 414-610-3098 during which the caller believed to be LOYD and SUTTON finally agreed to meet at a particular location. Surveillance then observed LOYD’S vehicle, a red Ford Mustang bearing a Wisconsin plate number 750JHE, follow SUTTON’S vehicle to the 2000 block of North Lamon. Surveillance observed LOYD and SUTTON exit 2022 North Lamon. The telephone number 414-933-7965 is registered in the name of Jywanzo Loyd at 3916 W. Lisbon Avenue, Milwaukee, Wisconsin



331. On March 19, 2005, at 11:30 am Target Telephone 1 received a call from 414-899-6300, used by LOYD. LOYD told SUTTON that he would “hit” SUTTON for “one more” (more narcotics) and that he (LOYD) would keep it and that all LOYD wanted was for SUTTON to “twirl it around for me” (process the cocaine into crack cocaine).

332. On March 25, 2005, at 9:47 p.m., Target Telephone 1 received a call from 414-610-3098, used by LOYD. LOYD told SUTTON that he wants to do it himself so he can “learn it” (learn to process powder cocaine into crack cocaine). LOYD stated that he would get ahold of SUTTON the next day.

333. On March 26, 2005, at 9:04 am (Call No. 2777), Target Telephone 1 called 414-610-3098, used by LOYD. LOYD informed SUTTON that he would be ready in about ninety minutes and that he had a “good place to meet.” At approximately 11:43 am, Target Phone 1 received a call from 414-610-3098. LOYD informed SUTTON he is on Cicero Avenue and that the house he is using is right around there. SUTTON stated that he was going to go get his “clothes right quick” (get the cocaine for processing). In subsequent calls SUTTON and LOYD arrange to meet. Surveillance near 2022 N. Lamon observed SUTTON and LOYD<sup>61</sup> exit SUTTON’s vehicle and enter the home at 2022 N. Lamon at approximately 1:00 p.m. At approximately 2:09 p.m., surveillance observed SUTTON and LOYD exit the front gate at 2022 N. Lamon. Surveillance then observed LOYD almost immediately reenter the building at 2022 N. Lamon. Based upon the preceding calls, investigators believe that SUTTON was teaching LOYD how to process powder cocaine into crack cocaine in the residence at 2022 N. Lamon..

334. On April 1, 2005, at approximately 1:11 p.m., Target phone 1 received a call from 414-610-3098. LOYD told SUTTON, “I’m in route right now.” Later in the conversation LOYD, asked SUTTON, “You made sure you got that 160 for me?”(quantity of crack cocaine). After several subsequent telephone calls to SUTTON from LOYD (in which he used telephone number 414-588-

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<sup>61</sup> Surveillance officers confirmed that the individual with SUTTON was JYWANZO LOYD from an arrest photograph.

3746) they finally agree to meet near a Rent A Center near the intersection of Cicero and North Avenues in Chicago. At approximately 3:53 p.m., surveillance units observed LOYD enter SUTTON'S maroon Chevrolet conversion van. At approximately 3:55 p.m., surveillance observed LOYD exit SUTTON's van back to his own car (determined to be a rental vehicle). In a subsequent call intercepted at 11:10, LOYD asked SUTTON if he could get "one shirt" in the morning for someone else and stated that SUTTON would not have to do anything, that they would do it themselves (asking for a quantity of cocaine and stating that SUTTON will not need to cook the cocaine into crack as LOYD and the other individual would do it themselves).

335. On April 4, 2005, Target Telephone 1 had a number of phone calls with numbers used by LOYD. At approximately 7:27 am, LOYD using (414) 933-7965 called SUTTON and told him that he had the "whole ticket" and that he wanted the "same thing" (LOYD has money for narcotics and wants the same amount of narcotics purchased previously). In subsequent calls, LOYD and SUTTON made arrangements to meet. At approximately 2:39 p.m., LOYD (using (414) 899-6300) spoke to SUTTON who told him that he will have "clothes" at 3:00 p.m., and that he (SUTTON) was going to "wash it and everything" (process cocaine into crack cocaine). In a later call at 3:11 p.m., SUTTON spoke to LOYD (on 773-378-8610) and told LOYD he was going to "grab it" (narcotics). At approximately 8:00 p.m., LOYD (using 773-378-8610) called SUTTON who said that he was "rolling his way."

336. On April 8, 2005, at approximately 9:10 am (Call 5052) Target Phone 1 received a call from 414-933-7965 (used by LOYD). LOYD told SUTTON that he was going to send the female who was with him in the Mustang the last time he met him at the Cub Foods (referring to the April 1 meeting). LOYD told SUTTON she would be in a "Stratus" and that she would meet him at the same place. On that same date, Target Phone 1 had a number of subsequent calls with (414) 933-4720 (used by LOYD). At approximately 10:00 am LOYD contacted SUTTON and informed Sutton that the girl is on her way and should be at the Cub foods by 11:00 or 11:30. At 11:37 am, LOYD called SUTTON again and said that she was heading to the Cub Foods at Cicero and North.

At approximately 11:50 am, surveillance officers observe a Dodge Stratus (determined to be a rental vehicle) enter the shopping center parking lot. At 11:56 am, LOYD called SUTTON and said that she was there and SUTTON replied that he would be there in a minute. At 12:25 p.m., LOYD called SUTTON again and SUTTON said that he was pulling in. LOYD said that she was in a silver Stratus.

337. At approximately 12:26 p.m., surveillance observed the female driver of the Dodge Stratus (later determined to be SHAMON GRIFFIN based upon the April 20, 2005, stop as detailed below) entering SUTTON'S vehicle with a white shopping bag from a store she had been observed go into and come out of earlier. The female driver then got out of SUTTON'S car a minute later still carrying the white shopping bag and get back into the Dodge Stratus and leave. At approximately 1:37 p.m., SUTTON called LOYD and told him that he was a "sleeve" off and to meet him at the car wash as soon as he has that "quarter" (LOYD has shorted SUTTON on money).

338. On April 11, 2005, at approximately 8:55 am, Target Phone 1 received a call from (414) 610-3098, used by LOYD. LOYD asked SUTTON for another day to scrape together the money. SUTTON agreed. LOYD then asked if SUTTON would have the "other thing." SUTTON said ok and LOYD said he would be up there the following day.

339. On April 12, 2005, at approximately 9:02 am (Call 5645) Target Phone 1 received a call from (414) 933-7965. LOYD told SUTTON that "she" would be leaving around 9:30. LOYD asked SUTTON to "increase the 125 to 150, nice and solid" (increase the amount of cocaine most likely from 125 grams to 150 grams). ANTHONY SUTTON stated, "I put them together last night" (packaged it for sale to LOYD the previous night). LOYD responded, "Keep me in mind next time, because I go through them real fast" (he is reselling the cocaine quickly). Subsequent calls intercepted between LOYD using various numbers and SUTTON reflect that SUTTON again met with the female in the silver Stratus. In one such call, intercepted at 11:55 am, LOYD told SUTTON that "she" is standing in front of Cub wearing a brown hat. The female individual (who was on the phone in what appeared to be a three way call) then stated that she would turn around and see if it was him.

SUTTON then said that he could see her. Investigators have recognized the voice on that call to be that of SHAMON GRIFFIN based upon a voice comparison of her voice during an April 20, 2005, stop (described in detail below) and the voice on this call as being the same voice.

340. In a subsequent call at 12:00 p.m., SUTTON and LOYD had a dispute over money in which SUTTON stated, among other things, that he thought LOYD was going to have the other “25 dollars” (\$2500). SUTTON explained that it was “tight” right now. That night at approximately 11:01 p.m., LOYD called SUTTON and stated that his brother was heading to the city and would give him the package (money owed to SUTTON). LOYD then asked if things were getting tight would it affect them and SUTTON responded it would not (if SUTTON is going to not have the money to buy narcotics, thereby affecting customers like LOYD).

341. On April 13, 2005, at approximately 2:31 p.m., Target Phone 1 received a call from (414) 610-3098. LOYD told SUTTON that the “girl” was trying to call him (SUTTON) and get “that” to him (money owed SUTTON). SUTTON told LOYD to tell the “girl” that he would be right there in ten minutes. At approximately 2:39 p.m., Target Phone 1 called (773) 450-5567, used by SHAMON GRIFFIN.<sup>62</sup> SUTTON told GRIFFIN that he would be there in five minutes and GRIFFIN responded that she was on the way. Shortly thereafter at 2:51 p.m., SUTTON called GRIFFIN at the same number and GRIFFIN stated that she was on her way.

342. On April 16, 2005, at approximately 10:44 am Target Phone 1 received a call from (414)610-3098. LOYD said that “she” was walking out to leave right now and asked if SUTTON was going to meet her (most likely SHAMON GRIFFIN). At approximately 12:50 p.m., LOYD (using the same number) called SUTTON and stated that “she” (GRIFFIN) was out there. At approximately 1:30 pm, investigators observed a red Ford Mustang bearing Wisconsin license plates 750JHE in the parking lot and observed SUTTON in his white Buick Regal park near the Mustang.

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<sup>62</sup>Information establishing that SHAMON GRIFFIN is the user of (773) 450-5567 includes the following. Investigators who stopped GRIFFIN on April 20, 2005 listened to calls in which GRFFIN was believed to be a speaker and identified the voices as the same.

Investigators observed a female (later determined to be GRIFFIN based upon a drivers license photo) walk towards the vehicle.

343. On April 19, 2005, at approximately 4:46 p.m., Target Phone 1 received a call from (414) 610-3098. LOYD asked SUTTON if he “got him” (has narcotics for LOYD) and told SUTTON that he was going to check on the “receipts” (money owed to SUTTON). At 7:52 p.m., LOYD (using the same number) called SUTTON and said he wanted the “same thing as last time” (same amount of narcotics as the previous deal) and said he would call SUTTON at 9:00 am.

344. On April 20, 2005, at approximately 8:39 am, Target Phone 1 received a call from (414) 610-3098. LOYD asked SUTTON, “You got me, right” (whether SUTTON has the narcotics to sell LOYD) and SUTTON responded affirmatively. At approximately 11:02 am. LOYD (using the same number) called SUTTON. LOYD informed SUTTON “She up at Marshall’s” SUTTON responded, “Oh ok.” LOYD further stated SUTTON, “She, she up in the inside of the store though, till you get there.” LOYD then stated, “She in the same wheels she was in last time.”

345. At 11:00 am, surveillance in front of the Marshalls department store in the parking lot at North and Cicero Avenues observed a red 2000 red Ford Mustang bearing Wisconsin license plates 750JHE enter the parking lot of the shopping center complex at the corner of North and Cicero Avenues. The driver of the vehicle, identified as GRIFFIN exited the vehicle carrying a large white plastic bag and entered the Marshall’s store. At approximately 11:30 am surveillance observed a white four door Buick Regal with chrome rims and no license plates (a car in which we have previously observed SUTTON) arrive into the parking lot and proceed through the parking near the Marshall’s store. At approximately 11:43 am surveillance observed GRIFFIN carrying a white plastic bag enter the front passenger door of the white four door Buick regal. (Surveillance could not see inside the vehicle as the windows are tinted.) After a few moments GRIFFIN exited the Buick and walked to the red Ford Mustang that she arrived in.

346. At approximately 11:55 am surveillance officers stopped the red Ford Mustang. One of the surveillance officers observed a white plastic bag bearing the Marshall’s name resting on the

front passenger seat. GRIFFIN provided the officers with a valid driver's license in the name of SHAMON GRIFFIN and was told that her vehicle matched the description of a vehicle wanted in a jewelry theft. GRIFFIN stated that she did not have any stolen merchandise in her car and granted the officers permission to search the vehicle. While searching the car one of the officers recovered a white plastic Marshall's bag containing a black plastic bag, a clear plastic bag and six smaller clear plastic bags each containing a quantity of white rocklike substance, later determined to be approximately 750 grams of a substance that tested positive for cocaine base. GRIFFIN told the officers she was not aware of the fact that cocaine was in her car.

347. GRIFFIN told the officers that she had gone to Marshall's to meet a person only known to her as "Bear." She described "Bear" as a black male approximately 25 years old, whom she had previously known from the area of Augusta and Leamington. GRIFFIN told the officers that she met "Bear," who was driving a white Buick LeSabre, in the parking lot near the Marshall's store. GRIFFIN was to pick up a bag from "Bear" and deliver it to another Marshall's store located in Milwaukee, Wisconsin. GRIFFIN explained that "Bear" had paid her two hundred dollars, which was in her wallet. GRIFFIN related to the officers that she had picked up and delivered similar bags on two previous occasions within the past three weeks and at no time, during any of these deliveries did she know the contents of the bags. SHAMON GRIFFIN was then allowed to leave the area.

348. At approximately 2:28 p.m., LOYD (using the same number) called SUTTON and stated that he wanted to talk to him in person and said that he would call SUTTON at 4:00 p.m. Shortly thereafter at approximately 2:34 p.m., LOYD (using the same number) called again and said he needed more of "that" and that he would be in at 4:30 p.m. At 4:36 p.m., LOYD, using (773) 378-8610, called SUTTON and they made arrangements to meet in person.

**Examples of calls between SUTTON and cocaine customer BRYANT NEWELL**

349. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer NEWELL. They establish that SUTTON and NEWELL have engaged in multiple drug deals.

350. On April 4, 2005, at approximately 5:48 p.m., (Call 4075) Target Telephone 1 received a call from 773-319-3542 used by BRYANT NEWELL.<sup>63</sup> NEWELL asked SUTTON about going “back to the store” to get a “leather coat” in a “size 7” (quantity of cocaine) for himself and a “size 14” (double quantity of cocaine) for his sister. SUTTON advised NEWELL that he would call him in about an hour.

351. On April 5, 2005, at approximately 6:29 p.m., (Call 367). SUTTON, using Target Telephone 1, spoke to NEWELL<sup>64</sup> NEWELL requested additional narcotics from SUTTON. NEWELL advised SUTTON that his little sister already had a “size 7” “coat” (quantity of cocaine) but that NEWELL wanted to get an additional “size 7” (quantity of cocaine) for his niece so that he could have a little “stand by” (extra narcotics). SUTTON agreed and advised NEWELL that they could meet at a specific location “record shop” at 7:00p.m.

352. On April 7, 2005, at approximately 10:48 p.m., (Call 5050) Target Telephone 1 received a call from 773-319-3542. NEWELL again called SUTTON requesting a “coat in a seven” (quantity of cocaine) for himself and another person. NEWELL indicated that “my guy” wasn’t able to make the purchase until tomorrow but that he still wanted to get the “coat” (cocaine) for his little sister. SUTTON asked NEWELL if he meant the “Nikes” (quantity of cocaine) and NEWELL responded “no” and that NEWELL would call SUTTON back in a half hour.

353. On April 8, 2005, at approximately 5:28 p.m., (Call 5110), Target Telephone 1 placed a call to 773-319-3542. SUTTON asked NEWELL what was going on to which NEWELL responded

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<sup>63</sup>Information establishing BRYANT NEWELL as the user of 773-319-3542 includes the following. In a call placed from 773-319-3542 to Target Phone 1, the caller left a voicemail referring to himself as “Bryant.” Additionally, on April 5, 2005, SUTTON spoke with the individual believed to be NEWELL on 773-319-3542 and they made arrangements to meet at Cicero and Augusta. Surveillance observed SUTTON meet with an individual who was in a Jeep Grand Cherokee that is registered to Bryant Newell at 321 N. Avers. Investigators observed the individual meeting with SUTTON to be BRYANT NEWELL based upon a CPD arrest photo for BRYANT NEWELL.

<sup>64</sup>Due to technical difficulties, the number from which NEWELL was calling and the direction of the call are not recorded. Investigators have compared the voice of the individual on this call to other calls either to or from 773-319-3542 and found it to be the same.

that the needed a “size seven Nike” (quantity of narcotics). SUTTON advised NEWELL that the would call him right back. However, when SUTTON failed to immediately return NEWELL’s call, NEWELL called Target Telephone 1 at approximately 5:36 p.m., (Call 5111). SUTTON advised NEWELL that he would be 15 minutes. At approximately 6:28 p.m., (Call 5112), NEWELL again called Target Telephone 1 complaining to SUTTON that he was “almost dry” (out of narcotics). SUTTON responded that he would be by in 15 minutes.

**Examples of Calls Between SUTTON and Cocaine Customer MARLOW WATTS**

354. The calls set forth below demonstrate the relationship between SUTTON and cocaine customer WATTS. They establish that SUTTON and WATTS have engaged in multiple completed drug deals.

355. On April 5, 2005, at approximately 12:10 p.m., (Call 4234), Target Telephone 1 received a call from 773-354-1363, used by MARLOW WATTS.<sup>65</sup> SUTTON advised WATTS that he “just got some clothes” (quantity of cocaine). WATTS replied that he would get back (contact) SUTTON.

356. On April 9, 2005, at approximately 1:24 p.m., (Call 5255), Target Telephone 1 received a call from 773-354-1363. WATTS agree to meet at the “same place” (a predetermined location) to conduct a transaction.

357. On April 10, 2005, at approximately 12:28 p.m., (Call 5361), Target Telephone 1 received a call from 773-354-1363. WATTS advised SUTTON that he needed the “same thing” (quantity of cocaine) as yesterday and that WATTS would be ready in an hour. At approximately

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<sup>65</sup> Information establishing MARLOW WATTS as the user of 773-354-1363 includes the following. On May 17, 2005, at approximately 11:19 am surveillance officers observed an individual recognized as MARLOW WATTS based upon an arrest photo. MARLOW WATTS driving a red Dodge pickup truck. WATTS was doubled parked in the vicinity 5200 W. Fulton in Chicago, IL. While one of the officers was conversing with WATTS the other officer received verbal permission to search the vehicle for weapons. The searching officer noticed a cellular telephone on the front seat of the vehicle. The officer dialed telephone number 773-354-1363 and heard the cell phone play an unknown song and light up.



1:06 p.m., (Call 5385), WATTS again called Target Telephone 1 and advised SUTTON that he was ready for the transaction. WATTS and SUTTON agree to meet at a gas station.

358. On May 7, 2005, at approximately 11:03 am (Call 158), Target Telephone 3 received a call from 773-354-1363. WATTS asked SUTTON if he had any “clothes” (cocaine). SUTTON replied that he was waiting for someone to come outside.

359. On May 10, 2005, at approximately 10:12 am (Call 637), Target Telephone 3 received a call from 773-354-1363. WATTS told SUTTON he wanted to go to the “hundreds and sixty-third” (quantity of cocaine). SUTTON agreed to meet at the same location he and WATTS met at the previous day at approximately 10:40 am. At approximately 10:20 am (Call 640), WATTS again called Target Telephone 3 and reiterated the amount of narcotics he wanted from SUTTON “twice...there on sixty-third” (two sixty-three or 2 ½ ounce packages of cocaine, a common wholesale distribution amount). SUTTON told WATTS he would talk to WATTS when he arrived at the location.

360. On May 10, 2005, at approximately 1:05 p.m., (Call 684), Target Telephone 3 received a call from 773-354-1363 wherein WATTS told SUTTON he wanted the narcotics the same way, “three”. SUTTON agreed. Approximately 15 minutes later, (Call 687) WATTS again called Target Telephone 3 asking SUTTON if he is ready (for the narcotics transaction). SUTTON responded that he will call back in a little while. At approximately 2:39 p.m., (Call 695) Target Telephone 3 called 773-354-1363. SUTTON explained to WATTS that “it’s in the making now” (narcotics will be available soon). WATTS complained that he has “people” (customers) waiting (for cocaine).

361. On May 12, 2005, at approximately 9:33 p.m., (Call 1298), Target Telephone 3 placed a call to 773-354-1363. SUTTON asked WATTS if he had any “gym shoes” (cocaine) and requested a “ten and a half or eleven” (quantity of cocaine).

**Examples of Calls Between SUTTON and Cocaine and Heroin Customer STEVEN RUCKER**

362. The calls set forth below demonstrate the relationship between SUTTON and cocaine and heroin customer RUCKER. They establish that SUTTON and RUCKER have engaged in multiple completed drug deals.

363. On April 6, 2005, at approximately 10:01 am (Call 4353), Target Telephone 1 received a call from 312-451-5421, used by STEVEN RUCKER.<sup>66</sup> RUCKER told SUTTON that he wanted “twice sixty-third” (quantity of cocaine, approximately two times 63 grams - 4 1/2 ounces or one-eighth kilogram) which he received from SUTTON the previous day. SUTTON and RUCKER agreed to meet at approximately 10:30 am.

364. On April 6, 2005, at approximately 2:17 p.m., (Call 4373), Target Telephone 1 received a call from 312-451-5421. RUCKER told SUTTON that he never heard back from his “guy” to which SUTTON asked whether RUCKER was “going to one hundred twenty-fifth” (quantity of cocaine, approximately 125 grams - 4 1/2 ounces or one-eighth of a kilogram). RUCKER said yes and they agreed to meet at approximately 3:00p.m. At approximately 2:27p.m., (Call 4374), Target Telephone 1 called 312-451-5421. SUTTON advised RUCKER that he had that “tire” (kilogram of cocaine) and wanted to meet with RUCKER. RUCKER advised SUTTON that he was at Division and Laramie.

365. On April 26, 2005, at approximately 3:05 p.m., (Call 6825), Target Telephone 1 received a call from 312-451-5421. RUCKER asked what time SUTTON would be around the city and RUCKER responded in about a half hour. SUTTON asked RUCKER if he was getting the same

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<sup>66</sup>Information establishing that STEVEN RUCKER is the user of 312-451-5421 includes the following. First, the phone is subscribed to in the name of Steven Rucker. Second, in one intercepted call (Call 40) SUTTON referred to the other individual as “Steveo.” Third, on May 24, 2005, surveillance observed an individual believed to be RUCKER based upon calls previously intercepted between SUTTON and RUCKER using 312-451-5421 during which they agreed to meet at that particular location. An investigator dialed 312-451-5421 and observed RUCKER answer the phone. The investigator asked to speak to “Steven Phillips.” RUCKER stated that the caller had a wrong number and that his name was “Steven Rucker.” The investigator then asked if the number dialed was “751” and RUCKER told him it was “451.”

“tee-shirts”(quantity of heroin) and RUCKER responded “yeah.” SUTTON and RUCKER agreed to meet at the same place.

366. On May 6, 2005, at approximately 3:45 p.m., (Call 40), Target Telephone 3 received a call from 312-451-5421. SUTTON told RUCKER he was searching to “come up” and take care of “them loose ends” (locate narcotics). SUTTON asked RUCKER if he knew anyone and RUCKER responded that he’s “iffy.” SUTTON admitted being “thirsty” (in need of narcotics) but that he had a few leads and a few “people on the line.”

367. On May 9, 2005, at approximately 6:26 p.m., (Call 528), Target Telephone 3 received a call from 312-451-5421. SUTTON advised RUCKER that he was going to look at a “picture” (small quantity of narcotics to show the quality).

368. On May 18, 2005, at approximately 11:21 a.m., (Call 2148), Target Telephone 3 received a call from 312-451-5421. SUTTON told RUCKER that he had “clothes” (cocaine) for him. RUCKER advised SUTTON that he was at North and Austin and that he would wait for SUTTON.

#### **6. Undercover narcotics purchases on drug spots controlled by SUTTON**

369. Set forth below are undercover buys conducted on drug spots controlled by SUTTON at: Hamlin and Iowa; Pulaski and Iowa; and Avers and Iowa.

370. On December 1, 2004, an undercover officer purchased at Hamlin and Iowa from an unknown male two tin foil packets containing a substance that field tested positive for heroin in exchange for \$10.00. The form of packaging was found to be consistent with information provided by cooperating witnesses as to how SUTTON packaged his heroin.

371. On December 2, 2004, an undercover officer purchased from an unknown male at Hamlin and Iowa two small plastic zip lock baggies with blue dolphins encased in clear tape containing a substance that field tested positive for crack cocaine in exchange for \$20.00. This packaging was also consistent with information provided by cooperating witnesses as to how SUTTON packaged crack cocaine.

372. On December 9, 2004, law enforcement observed SUTTON parked at 912 N. Hamlin (Hamlin and Iowa) in the 1996 Ford Taurus referenced above. Law enforcement observed a male individual (who has been identified) enter the car. SUTTON and the individual left Hamlin. The individual then returned to the area of 912 N. Hamlin. Law enforcement subsequently observed unknown individuals participating in narcotics transactions in the area of 912 N. Hamlin.

373. On that same date, a while later an undercover officer approached an individual (who has been identified) and asked to purchase “two rocks” (“rocks” is a street term for crack cocaine). The individual entered the residence at 912 N. Hamlin and shortly thereafter came back out and handed the undercover officer two plastic zip lock baggies with blue dolphins encased in clear tape containing of a substance that field tested positive for crack cocaine in exchange for \$20.00. This packaging was also consistent with information provided by cooperating witnesses as to how SUTTON packaged crack cocaine. According to CPD gang intelligence, the individual is a known member of the Four Corner Hustler street gang and a member of SUTTON's narcotics operation.

374. On that same date, another undercover officer purchased one tin foil packet containing a substance that field tested positive for heroin in exchange for \$10 from an individual (who has been identified). This packaging was also consistent with information provided by CW's as to how SUTTON packages his heroin. According to CPD gang intelligence, the individual is a known member of the Four Corner Hustler street gang and a member of SUTTON's narcotic operation.

375. On March 25, 2005, officers observed two individuals, now known as MATTIE YELVINGTON and another individual (who has been identified) standing on the street at the location of 925 N. Hamlin, (Hamlin and Iowa). YELVINGTON and the other individual were observed at this location yelling “rocks, blows” (“rocks” is street terminology “blows” is street terminology for heroin). As police officers approached, YELVINGTON was observed dropping a strip of tape to the ground which was recovered and found to be a strip of tape containing eight ziplock packets of a white rocklike substance that tested positive for the presence of cocaine base

at which time YELVINGTON was placed under arrest. (The other individual was also placed under arrest.) Officers conducted a custodial search of YELVINGTON and found an additional similar strip of tape containing seven ziplock packets of a white rocklike substance that tested positive for the presence of cocaine base. (A custodial search of the other individual yielded a plastic bag containing nine foil packets of a substance that tested positive for the presence of heroin.)

376. On April 26, 2005, an undercover officer approached an individual on the street at 1040 N. Hamlin (Hamlin and Iowa) and spoke with the individual (later identified). The undercover officer asked the individual where he could get “two” (two packets of narcotics). At this time, the individual entered the undercover vehicle and directed the undercover officer to the location of 906 N. Hamlin, the drug spot at Hamlin and Iowa. The individual called out to an unknown female black standing on the sidewalk. The undercover officer then received two ziplock packets each containing a rocklike substance that field tested positive for the presence of cocaine base in exchange for \$20.00.

377. On May 2, 2005, an undercover officer approached an individual on the street at 909 N. Pulaski, the drug spot at Pulaski and Iowa. The undercover officer was able to hear the individual (later identified) saying “blows, blows” (heroin). The undercover officer then asked the individual for three “blows.” The individual removed a cell phone from his pocket and removed the battery, which revealed a compartment that held numerous folded tin foil packets. The individual then handed the undercover officer three folded tin foils packets containing what was later determined to be substance that field tested positive for heroin, in exchange for \$30.00.

378. On May 12, 2005, an undercover officer approached an individual on the street at the location of 859 N. Avers, the drug spot at Avers and Iowa. The undercover officer approached an individual, (later identified), and asked for two “blows” (heroin). The undercover officer then handed the individual \$20.00 in exchange for two foil packets of white powder, containing a substance that field tested positive for heroin. The undercover officer left the area. Following the transaction,

surveillance officers observed the individual hand the money received from the undercover officer to an individual later identified as Individual B.

### **CONCLUSION**

WHEREFORE, Affiant submits that the foregoing evidence establishes that the above listed defendants conspired and agreed with each other and with others known and unknown to possess with intent to distribute and distribute controlled substances, namely, in excess of 50 grams of cocaine base, in the form of “crack” cocaine, in excess of 5 kilograms of powder cocaine, in excess of 1 kilogram, of heroin, and marijuana, in violation of Title 21, United States Code, Section 846, and did aid and abet said conspiracy, in violation of Title 18, United States Code, Section 2.

FURTHER AFFIANT SAYETH NOT.

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Richard Maher, Task Force Officer  
Drug Enforcement Administration

Subscribed and sworn before me this  
\_\_\_\_\_ day of May 2005

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Honorable Michael T. Mason  
United States Magistrate Judge  
Northern District of Illinois